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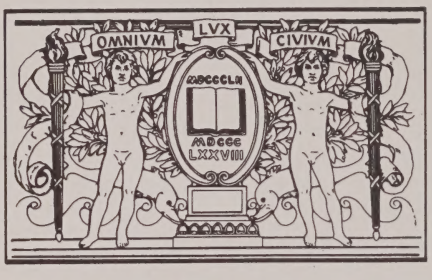


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THE

# NORTH AMERICAN REVIEW.

VOL. XCIV.

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CROSBY AND NICHOLS,
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# CONTENTS

OF

## No. CXCIV.


| Art. | | Page |
|---|---|---|
| I. | The Adulterations of Food . . . . . | 1 |
| | 1. Food and its Adulterations; comprising the Reports of the Analytical Sanitary Commission of "The Lancet." By Arthur Hill Hassall, M. D. | |
| | 2. The London Lancet, from 1854 to 1861. | |
| | 3. A Treatise on Food and Diet. By Jonathan Pereira, M. D., F. R. S. | |
| | 4. What we Eat. By Thomas H. Hoskins, M. D. | |
| | 5. The Theory and Art of Bread-Making: a new Process, without the Use of Ferment. By E. N. Horsford. | |
| II. | Methodist Clerical Biography . . . . . | 41 |
| | 1. Annals of the American Methodist Pulpit; or Commemorative Notices of Distinguished Clergymen of the Methodist Denomination in the United States, from its Commencement to the Close of the Year Eighteen Hundred and Fifty-five. By William B. Sprague, D. D. | |
| | 2. Journals of the Rev. Francis Asbury, Bishop of the Methodist Episcopal Church. | |
| | 3. Asbury and his Coadjutors. By Rev. W. C. Larrabee. | |
| | 4. The Rifle, Axe, and Saddlebags. By William Henry Milburn. | |
| | 5. The Life of Jacob Gruber. By W. P. Strickland. | |
| | 6. Autobiography of Peter Cartwright, the Backwoods Preacher. Edited by W. P. Strickland. | |
| III. | German and French Criminal Procedure . . . | 75 |
| | 1. Strafgesetzbuch für das Königreich Bayern. | |
| | 2. Actenmassige Darstellung Merkwürdiger Verbrechen. Von Anselm Ritter von Feuerbach. | |
| | 3. Lehrbuch des gemeinen in Deutschland gültigen peinlichen Rechts. Von A. von Feuerbach. | |
| | 4. Code d'Instruction Criminelle de France. | |
| | 5. Code des Tribunaux de France. | |
| IV. | On Translating Homer . . . . . | 108 |
| | 1. On translating Homer. Three Lectures given at Oxford. By Matthew Arnold, M. A. | |
| | 2. Versiones Homeri Anglicæ inter se Comparatæ. Scripsit David Georgius Penon, Doctor Philosophiæ. | |

V. The Irish of the Past . . . . . 125
1. Singularités Historiques et Littéraires. Par B. Hauréau.
2. Scot Erigène et la Philosophie Scholastique. Par M. Saint-René Taillandier.
3. Veterum Epistolarum Hibernicarum Sylloge.
4. Acta Sanctorum veteris et majoris Scotiæ, seu Hiberniæ Sanctorum Insulæ. A. Joann. Colgan.

VI. Unity of Life . . . . . 136
1. Neue Beiträge zu dem Geist in der Natur. Von Hans Christian Oersted.
2. Hints towards the Formation of a more Comprehensive Theory of Life. By S. T. Coleridge.
3. Vital Dynamics; the Hunterian Oration. By Joseph Henry Green, F. R. S.
4. Humanics. By T. Wharton Collins.
5. Glimpses of the Heaven that lies about us. By T. E. Poynting.

VII. Loyalty . . . . . 153
1. The Causes, Principles, and Results of the Present Conflict. A Discourse by S. K. Lothrop, D. D.
2. Wars and Rumors of Wars. A Sermon by Rev. Edwin A. Bulkley.
3. Our Sacrifices. A Sermon by C. A. Bartol.
4. The Lessons of our National Conflict. An Address by Julian M. Sturtevant.
5. Patriotism and the Slaveholders' Rebellion. An Oration. By C. S. Henry.
6. The Rebellion: its Latent Causes and True Significance. By Henry T. Tuckerman.
7. Cheap Cotton by Free Labor. By a Cotton Manufacturer.
8. The Rejected Stone. By a Native of Virginia.

VIII. The Last Two Books on Africa . . . . . 174
1. The Okavango River. By Charles John Andersson.
2. The Last Travels of Ida Pfeiffer: inclusive of a Visit to Madagascar. Translated by H. W. Dulcken.

IX. Dr. Walker's Sermons . . . . . 186
Sermons preached in the Chapel of Harvard College. By James Walker, D. D.

X. The Domestic and Foreign Relations of the United States . . . . . 196
Speeches at the Annual Banquet of the Lord Mayor of London.

XI. Critical Notices . . . . . 258

New Publications Received . . . . . 285

# CONTENTS

OF

## No. CXCV.


| Art. | | Page |
|---|---|---|
| I. | Lady Mary Wortley Montagu. . . . . The Letters and Works of Lady Mary Wortley Montagu. Edited by her Great-Grandson, Lord Wharncliffe. | 289 |
| II. | Cilicia. . . . . Voyage dans la Cilicie et dans les Montagnes du Taurus, exécuté pendant les Années 1852, 1853. Par Ordre de l'Empereur et sous les Auspices du Ministre de l'Instruction Publique et de l'Académie des Inscriptions et Belles-Lettres. Par Victor Langlois. | 309 |
| III. | Elizabeth Barrett Browning. . . . . Poems. By Elizabeth Barrett Browning. | 338 |
| IV. | James Graham, Marquis of Montrose. . . . . Montrose, and other Biographical Sketches. | 356 |
| V. | Sir Thomas Browne. . . . . 1. Religio Medici, A Letter to a Friend, Christian Morals, Urn-Burial, and Other Papers. By Sir Thomas Browne, Kt., M. D. 2. The Works of Sir Thomas Browne. Including his Unpublished Correspondence, and a Memoir. Edited by Simon Wilkin, F. L. S. | 371 |
| VI. | The New York State Inebriate Asylum. . . . Ceremonies on Laying the Corner-Stone of the New York State Inebriate Asylum, at Binghamton, September, 24, 1858. | 387 |
| VII. | English and French Views of the American Rebellion. . . . . 1. The American Crisis considered. By Charles Lempriere, D. C. L. 2. The American Union. By James Spence. 3. Les Etats Unis en 1861. Un Grand Peuple qui se relève. Par le Comte Agenor de Gasparin. | 408 |
| VIII. | Constitutional Law. . . . . 1. The Constitution of the United States of America, with an Alphabetical Analysis; the Declaration of Independence; the Articles of Confederation; the prominent Political Acts of George Washington, &c., &c., &c. By W. Hickey. | 435 |

2. The Federalist, on the New Constitution, written in the Year 1788. By Mr. Hamilton, Mr. Madison, and Mr. Jay.

3. Constitutional Law. Being a Collection of Points arising upon the Constitution and Jurisprudence of the United States, which have been settled by Judicial Decisions and Practice. By Thomas Sergeant, Esquire.

4. A View of the Constitution of the United States of America. By William Rawle, LL. D.

5. Commentaries on the Constitution of the United States; with a Preliminary Review of the Constitutional History of the Colonies and States before the Adoption of the Constitution. By Joseph Story, LL. D.

6. A Course of Lectures on the Constitutional Jurisprudence of the United States, delivered annually at Columbia College, New York. By William Alexander Duer.

7. Speech of Hon. M. F. Conway of Kansas. Delivered in the House of Representatives, December 12, 1861.

8. Mr. Sumner's Resolutions. Resolutions declaratory of the Relations between the United States and the Territory once occupied by certain States, and now usurped by pretended Governments, without Constitutional or Legal Right.

IX. The American Board of Foreign Missions. . . 463
Memorial Volume of the First Fifty Years of the American Board of Commissioners for Foreign Missions.

X. The Mississippi River. . . . . 486
Report upon the Physics and Hydraulics of the Mississippi River; upon the Protection of the Alluvial Region against Overflow; and upon the Deepening of the Mouths: based upon Surveys and Investigations, made under the Acts of Congress directing the Topographical and Hydrographical Survey of the Delta of the Mississippi River, with such Investigations as might lead to determine the most practicable Plan for securing it from Inundation, and the best Mode of deepening the Channels at the Mouths of the River. Prepared by Captain A. A. Humphreys and Lieutenant H. L. Abbot.

XI. Professor Henry's Writings. . . . . 525
Considerations on some of the Elements and Conditions of Social Welfare and Human Progress. Being Academic and Occasional Discourses and other Papers. By C. S. Henry, D. D.

XII. Critical Notices. . . . . 541

New Publications Received. . . . . 571

Index. . . . . 576

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# NORTH AMERICAN REVIEW.

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JANUARY, 1862.

ART. I. — 1. *Food and its Adulterations; comprising the Reports of the Analytical Sanitary Commission of "The Lancet," for the Years* 1851 *to* 1854, *inclusive.* By ARTHUR HILL HASSALL, M. D., Chief Analyst of the Commission. London: Longmans. 1855.

2. *The London Lancet, from* 1854 *to* 1861.

3. *A Treatise on Food and Diet.* By JONATHAN PEREIRA, M. D., F. R. S.

4. *What we Eat.* By THOMAS H. HOSKINS, M. D. Boston: T. O. H. P. Burnham. 1861.

5. *The Theory and Art of Bread-Making: a new Process, without the Use of Ferment.* By E. N. HORSFORD, Rumford Professor in Harvard University. Cambridge. 1861.

AMONG those amusing caricatures of Parisian life and manners, written by a choice corps of native wits and *feuilletonistes*, and illustrated by Gavarni, which are collected into a volume under the significant title of *Le Diable à Paris*, is one picture of a low eating-house in the *banlieue*, or outskirts of the city. The dirty and puzzled *garçon*, meanly clad, hot, hurried, and with the inevitable long napkin dangling from his left arm, has paused from his usual half-trotting gait, and, standing with his chin buried in his hands, in an attitude of profound contemplation, is trying to solve this problem in what is called the *Arithmétique de Gargote:* "Étant donnés trois chats, dont une chatte, on demande six gibelottes?"

Perhaps it is among the least wonderful transformations of the French *cuisine*, "having given three cats, — of whom one a female, — to make six rabbit stews"! Such metamorphoses, to say the least, are harmless, if they are repulsive. Every department of modern science can show as strange ones, from the sparkling gelatine made from the hoofs of decrepit hack-horses and filthy sheep's trotters, to the delicate *gants de société*, of the purest white, tanned from the back of a rat from the Paris sewers.

Nor are these changes, when healthy and lawful, to be deprecated, — they even challenge our admiration; for they add so much to the stock of human production, and hence save as much from the waste of life for ever-pressing human needs. Chemical transmutation is cleaner than water; and a reaction or a precipitation engenders perfect change and purity. Our sugar may be clarified with the albumen in ox-blood, and yet be, absolutely and simply, white sugar. Our flour may be fermented and raised by the growth of a disgusting fungus, the yeast-plant, and yet become palatable and wholesome bread. Nature does likewise in the fields, when she converts her own decaying remains, vegetable mould, the excretions and even the dead bodies of all her children, to her sweet uses in making grass and grain and trees. The chemist but imitates Nature; extorting her secrets by analysis, and then using them in his syntheses, as far as his art can go. But it is when changes are made or substances added to deceive or defraud, that we speak of falsification or *adulteration*.

In the earliest ages men lived as simply as the brutes around them. Milk, the raw flesh of animals, acorns, ground-nuts, and fruits, formed the only varieties of their diet. But the human stomach has not, even in a savage state, the digestive capacities of that of the lion or the ox. The one, seizing and swallowing his prey in crude masses, sinks into a lethargy of hours until the stomach has become empty; the other, while laboring all day in taking the requisite amount of pasturage into his system, has still to devote the night to its rumination and solution. Man, though obviously omnivorous, does not equal in digestive power the pig, which most resembles him in the universality of his food, but needs extraneous aid for his

organs of mastication. His food must be presented to him in a soluble and easily divisible state. To accomplish this with meats, and still more with any starch-containing articles, — to disintegrate the masses of solid muscle into their smaller *fasciculi*, and to crack the otherwise impregnable starch-cells, the influence of heat is necessary. Hence the art of cooking arose, probably, as early as any act not purely natural.

With cooking came, soon after, the mixing and refining of food. The good old diet of roasted beeves, and of corn, wine, and oil, gave way to other methods. Bread, vegetables, condiments, followed in due course. Many new articles were discovered, or their use invented. Fish and game were added to the meats; rye, barley, arrowroot, sago, rice, maize, and the potato, to the simple cereal. As soon as these various substances began to be gathered into masses to supply large communities, and to be prepared for the market, the temptation to alter, falsify, or adulterate them had its origin. And this is an evil which has increased in the same ratio with the culture of the race.

Not satisfied with food alone, the human race soon sought for stimulants; and from alcohol the step was short to narcotics, as the hop, cocoa, betel, hemp, and opium.

After a much longer period, it was discovered that many minerals were conducive to man's needs, and they came into familiar and daily use. Many were innocent; but many also poisonous, by contact or proximity. Besides iron, tin, and other useful metals, were introduced lead, copper, arsenic, and phosphorus, substances eminently toxical. As civilization progressed faster than sanitary knowledge, mankind began to be gathered into houses, and forthwith to shut out the pure external air and to suffer from bad ventilation. Finally, with the change from the nomad life to the permanent abode, came the dangers of careless and imperfect drainage.

These great social evils — the Adulteration of Food, the bad influence of Narcotics and of Mineral Poisons, the lack of Ventilation, and imperfect Drainage — may be called the Enemies of Civilization. They follow and blight all its great advances in physical and social well-being; and, as our nearest, ever-present, and most deadly foes, they demand constant

vigilance and attention. We propose to speak now of the first only.

We might fairly parody that famous description of the British subject as taxed in every article of food, of wear, of amusement, and of daily use, from his cradle to his coffin, and make out an equally strong case in the matter of adulteration. From morning to night he is the subject of perpetual fraud. He shaves himself with an inferior imitation of some high-priced soap; puts on a coat made of shoddy, and a hat of silk imitation of beaver. He drinks chiccory and beans in his coffee, water in his milk, and organic matter of the vilest kinds, with the animalcules which are its scavengers, in the water itself. He may reasonably expect to be poisoned with his wines and liquors; but he is unsuspicious that he is eating lard in his butter, alum in his bread, disgusting parasites, flour, and gypsum in his sugar, meal in his mustard, turmeric in his ginger, sulphuric acid in his vinegar, lead in his cayenne, copper in his pickles, gelatine in his isinglass, potato-starch in his arrowroot, and many mineral poisons in bonbons and confectionery, — or that his potted meats may be made of horse-flesh, his tea of used leaves revamped, his cigar falsified, and his cocoa adulterated with meal and flour.

This is literal truth. Nothing, we may say, in the whole domain of Nature, has escaped this universal contamination. The voluminous pages of Mr. Hassall's fearful work teem with proof that nothing is too small, nothing too cheap, nothing too common, familiar, or indispensable, not only to comfort, but to existence itself, to be spared from fraud. Nay more, adulteration is re-adulterated: coffee is adulterated with the cheaper chiccory, and chiccory itself with still cheaper roasted corn. The adulterer is himself defrauded by a still more cunning swindler; and "while he is picking his customer's pocket, in fancied security, some other knave is deep in his own."

Partial discoveries, unintentional revelations, marvellous cheapness, and disproportionate fortunes sprung from humble trades, had long since generated a vague distrust in the public mind. This feeling, however, extended only so far as to lead to a doubt whether some articles were not mixed with inferior articles of the same kind, but never to a suspicion that

foreign substances, and even poisons, were employed to adulterate and defraud. But this distrust must have always remained vague and uncertain, nor could proof have ever been adduced convincingly and publicly, save for two things. Of these, one might have satisfied the mind of science, but would never have spread with telling effect among the guilty, and throughout the whole country, without the support of the other. The former was the improvement in the accuracy of the microscope; the latter, a fearless and incorruptible public journal.

The chemist's power is weaker in the organic, than in the inorganic world. There is reason to fear that it will long remain so. He is at present baffled chiefly by the similarity and complexity of organized substances. Most organized existences or materials, animal or vegetable, living or dead and disintegrated, are made up of the four organogens, Carbon, Hydrogen, Oxygen, and Nitrogen. Their varieties consist mainly either in the absence or presence of nitrogen, or in the number of atoms composing their different parts. Some too, with identical composition, differ apparently in the arrangement of their atoms, as sugar and starch. The other difficulty, their complexity, arises from the large number of equivalents of each element which composes them, and from the manner in which they are mingled with other organic substances lacking decisive tests. Add to this their tendency to decompose and form new and varying compounds under the influence of re-agents, and we have sufficient reason why the results of organic qualitative analysis in certain fields are hardly more determinate than the experiment of the facetious chemist who tried to analyze a whole mouse. We can conceive that it may be much more difficult to find and extract unchanged a compound body like chiccory, which is made up of the four organogens in large equivalents, and perhaps half a dozen other elements, which we may call extractive, coloring, resinoid, or saline matters, than to eliminate one of the simple metals, as lead or copper. Then too, among the varieties of cereal adulteration with potato, meal, sago, or rice flours, no difference can be detected chemically, since starch is starch in the one, as in the other, and can give, perhaps,

its only test of turning blue with iodine. In such cases as the adulteration of flour with alum, it is true that chemistry can alone eliminate it; but, in general, organic analysis is uncertain, while organic synthesis utterly fails.

Without some other power, it would, then, be obviously impossible, as it was till our own time, to detect the adroit adulteration of alimentary substances. That power the convex lens has conferred. The labors of many zealous experimenters have at last elevated the microscope from a mere plaything to a truly scientific instrument; from the simple to the compound microscope; from a single convex glass, held over objects by the hand, to the wonderful combination of lenses and chambers, mirrors, tubes, diaphragms, stages, fine adjustments, eye-pieces and objectives, which rival, in an opposite direction, the power and the accuracy of the telescope itself.

Is it not wonderful that the fine dust shaken from the moth's wing will resolve itself into feathers of the same bipennate form which we see, with slight magnifying, upon his back; and, under a still higher power, into a series of lines, and *striæ* or markings, regular as a mathematical scale, yet only a thousandth of an inch apart, and as clear and sharp as if cut by those Egyptian tools whose markings stand thousands of years, but whose material was buried with the lost arts? The perfected microscope may be likened to a quickened eye, gifted with vast range of vision, yet equally capable of defining the faintest trace upon its transparent retina; whence, again, the more wondrous human retina absorbs the image from its mirror, and photographs it unchanged upon the brain. The chromatic aberration, and the aberration of sphericity, were the last errors to be corrected. But as the improved microscope exists now, it defines and illuminates, as well as magnifies, void of color or irregularly refracted rays. Escape from its searching eye is hopeless for any living or dead atom of that microcosm which constitutes its impalpable "object." From 20, to 400, to 800, to 1200, and more diameters, may the obdurate substance be unfolded, until its last complexity is laid bare, and everything but homogeneity yields to the resolving power.

Yet all this would be unavailing to detect adulteration if a grain of starch were a grain of starch, whether flour or potato, and if there were no distinctive differences in appearance. Fortunately, Nature is too expert a worker not to leave her impress upon everything she has made. There is no counterfeiting her trade-mark. A grain of starch is not a grain of starch, if grown on a different plant, however much it may seem so to the chemist, or to the careless eye. Wheat, rye, barley, oats, potatoes, rice, Indian corn, arrowroot, and lentils all contain starch; but their starch-granules, though bearing a family resemblance, are all distinguishable from one another under the microscope. Subjected to the same magnifying power, of say 420 diameters, they may be seen to differ plainly and unmistakably in size, in shape, and in their markings. Once learned and readily recognized, what a dictionary of terms we have already in our search for adulterations? So it is with everything else. Tea may be verified by the microscopic venation of its leaves, spices by their varying woody fibres and cellular structure, minerals by their crystalline form. Chiccory and coffee may be unerringly discriminated by their cells and spiral vessels; the acorn, by its stellate granules; cocoa and potato-starch or sago, by the granular state of the one cell, and the concentric markings of the other. So far, indeed, has this been carried, that the pollen-grains of flowers can be detected in honey; and, since they too have each their distinctive marks and shape, the kinds of flowers from which the honey was culled can be recognized, and it can be known whether the bees gathered it in the meadow, or on the heath.

Moreover, these are not transient images which the microscope affords. We are enabled, by the *camera lucida*, to project the image upon paper, and trace it out while still under examination. Thus engravings of microscopic objects may be reproduced, second only in accuracy to the photograph. This has been done very fully in Dr. Hassall's report; and, by the aid of the very numerous illustrations therein contained, any novice may verify, with his microscope, the purity of his articles of food, or the reverse.

So far, then, it was easy by careful and repeated examina-

tions to detect adulterations. But this was not all; it was necessary to give to these scientific details a publicity and interest, to explain examples, to insist on their importance, and, finally, to denounce the guilty. And this is what the London "Lancet" has done. Such rare integrity and courage deserve more than a passing notice.

Dr. Hassall, being particularly struck with the condition of ground coffee, as bought in London, was led to make some microscopical examinations of it. This first trial demonstrating to him the fact that it was adulterated with chiccory, and, moreover, that ground chiccory could be readily distinguished from ground coffee, he determined to pursue his investigations among other articles, and turned his next attention to sugar. A notice of these early inquiries was inserted in the London Times.

Meanwhile Mr. Wakley, of the Lancet, decided to publish the names and addresses of all tradespeople whom Dr. Hassall might convict, microscopically, of adulteration; and the whole series of papers on various kinds of food, placed first at the head of this article, was published in the Lancet, under the title of "Analytical Sanitary Commission," from 1851 to 1854. "It is impossible," says Dr. Hassall, "to speak in too high terms of the great moral courage of Mr. Wakley in this course which he pursued." Of his motives, the editor of the Lancet thus speaks for himself: —

"That the various articles of consumption differ greatly in quality, and are subject to numerous adulterations, must be evident to all, from the slightest consideration and examination of the subject; and if any general proof were wanting to establish the truth of this position, it would be found in the low and unremunerative prices at which very many commodities, to be genuine, are now commonly sold. That, therefore, there is much relating to our food and drink requiring exposure and remedy, cannot be doubted.

"We propose, then, for the public benefit, to institute an extensive, and somewhat rigorous, series of investigations into the present condition of the various articles of diet supplied to the inhabitants of this great metropolis and its vicinity. One especial feature of these inquiries will be, that they are all based upon actual observation and experiment: the microscope and test-tube throughout these investigations will be our constant companions. A second feature will consist in the intro-

duction of faithful engravings, illustrating all the more important particulars relating to the structure of each article as determined by the microscope. A third and highly important feature will be the *publication* of the *names* and *addresses* of the parties from whom the different articles were purchased: the advantages of such a course of proceeding require little explanation. Experience has shown, that any merely general exposure of the nature of the adulterations practised on the public through their food, is not sufficient to deter from a repetition of them; and that the only way in which it can be hoped that such fraudulent practices can be stayed, and the public protected, is by such proceedings as will entail personal discredit and probable loss. Now, although we are fully and firmly determined to protect the interests of the public, we, at the same time, do not desire to inflict injury on any one, as a proof of which we shall refrain from giving any names of adulterators for the space of three months from this date, and shall, at present, in connection with the analyses, merely indicate the street in which each vitiated commodity was purchased.

"The urchin who filches a bun, a penny-piece, or the value of one, breaks the law, and is liable to punishment, even imprisonment, — is it to be supposed, therefore, that the cunning and systematic adulterator of our food and drink, who robs us, not only of our money, but sometimes also of our health and strength, is less guilty? that he is to be allowed to violate the law with impunity in his daily dealings, and not only to go unpunished, but to carry about with him, as at present he commonly does, in his intercourse with his fellows, the undeserved reputation of an honest man? That the law, while it rigorously punishes the trivial offender, should allow the greater criminal to go at large unscathed, is an insult to common-sense. But the question is not merely one of honesty and dishonesty, of profit and loss, it is also eminently sanitary; one of health, and even, in some cases, of life itself." — *Introductory Remarks.*

The exposure was vigorously and fully carried out. The names and addresses of the vendors of every article examined, whether genuine or adulterated, after the expiration of the stated three months, were relentlessly published, and read throughout the whole of London and vicinity. In many cases, also, extracts were given, in the great capitals and italics of the advertisers, from the laudatory placards and labels describing articles which proved to be of the basest kind. As, for a single instance: —

"18*th Sample.* — 'Stratton's improved soluble Cocoa; which re-

quires no boiling. *A delicious preparation of the genuine cocoa-nut.* To obtain this pure preparation as invented by *us*, the sole manufacturers, it is requisite to see that our name is on the envelope, as some unprincipled firms have condescended to the meanness of imitating our labels.'

"*Analysis.* — 100 parts consist of about 13 parts of sugar, 45 *per cent of potato-flour and sago-meal*, and the rest cocoa."

And so on, *usque ad nauseam*, but we have no room for more. Here it may be noticed that, as a general rule, the amount of puffing was always in proportion to the badness of the article, — a useful hint to purchasers everywhere, and in more than one sphere of life.

One natural result of these exposures was the encouragement and advantage given to honest traders, who gladly placed the Lancet's stamp of "Genuine" upon their wares, as is done by one great London pickle house, even now. Again, all had an opportunity to reform their errors for three months before exposure, and honest retailers who were ignorantly selling an article adulterated in the manufacture, as spices or sauces, had time to change their stocks for better.

Of course the hundreds of detected rascals "raged and raved like wild beasts"; but with such demonstrative certainty did the deductions of the Lancet fasten themselves in the public mind, and so irrefragable was the proof, that only one party ventured to bring a suit for libel, and he withdrew it before trial. Several had the impudence to advertise, after exposure, that their coffee was now sold under two classes: one genuine, the other cheaper, as "mixed coffee," containing chiccory. Renewed analysis proved the "genuine" to contain chiccory; which fact being published, probably established faith in Dr. Hassall forever after. It is worthy of remark that, not long before these applications of the microscope, the Chancellor of the Exchequer said in Parliament that there was no known way of detecting chiccory in ground coffee.

The Excise in England is a cumbersome and costly system to protect the revenue, and hence should operate as a check on adulteration; but practically it had very little effect. It is gratifying to observe, however, that, after the publications in the Lancet, many imported articles were noticed at the custom-house to be much purer than before.

These horrors have not been much thought of in our vicinity. But any doubt as to whether they exist here as well as in England is at once done away by the little work of Dr. Hoskins. This is a very excellent, conscientious, straightforward, and condensed statement of the adulterations of food in Boston. All the accusations are said to be verified by experiment, and we have no doubt that this is true. The public owe their thanks to the author for the pains he has taken to protect their stomachs. We wish it might have some effect. But we have even less confidence in the vigor of our legislation and our executive than we have in that of England. Knowing the sharpness of the "universal Yankee," the low tone of commercial integrity in some great centres of trade, and the general lust for early wealth, we might expect adulteration to be as bad here as in other countries: and so we find it; and in some respects worse.

Such things demand public discussion. With the reader's patience, we will run over the principal frauds in as exhaustive a manner as an article of this nature will admit. We shall speak first of the necessaries of life, because adulteration of these reaches the whole community.

At the head of the list is *Bread*, familiarly called "the staff of life"; though, alone, it will not properly support life. Boussingault came to this conclusion from observing the small quantity of nitrogen which it contains; and the reports on a diet of bread and water in prisons bear him out. Yet when butter is added, we have all the four necessary elements of nutrition, — the albuminous, the saccharine, the aqueous, and the oleaginous, represented by gluten, starch, water, and butter. Besides this, it is really the most universal food next to milk. The latter, it is true, is a wholly natural product, made to hand, and containing the four elements of nutrition in just those proportions needed by the system. It is curious to observe, in this connection, that all tropical nations, that live so largely on starch, always seek to obtain some oleaginous element to complete their food; as is exemplified in the general use of *ghee*, or melted butter, among the Hindoos, with their perennial diet of rice.

Wheat consists mainly of starch and gluten; the latter in

higher proportion than in the other cereals. The gluten is that adhesive substance which is left in a spongy or ropy mass when flour is washed under a stream of water. It is a vegetable albumen, and contains nitrogen. It may therefore be regarded as, perhaps, the most essential element of the grain. In 100 parts of good wheaten flour there are from 56 to 72 parts of starch; from 10 to 14 parts of gluten; and from 3 to 6 parts each of gum and sugar. But wheats vary in richness acording to soil and cultivation, the gluten ranging from 9 to 34 per cent. In North American wheat it is set down at 22 per cent; and in the Western wheat, grown upon the virgin prairies, it is probably fully equal to that amount. According to various authorities, it appears that wheat contains much more of this principle than the other cereals, or the vegetables used for food. Thus, barley has of gluten 6 per cent; oats, 4 to 8 per cent; rye, 8 to 10 per cent; beans, 10 per cent; while rice has only 3 per cent; potatoes, 3 to 4 per cent; and Indian corn, 3 per cent. On the other hand, we find that the other grains make up in starch what they lack in gluten; as, wheat having an average of not more than 60 parts of starch in the 100, maize has 80, and rice 85 parts.

These comparisons sufficiently prove to us that very grave differences may be really produced in food by merely changing one for another among the different kinds of cereals, which might be regarded by many as a very innocent falsification. For, although recent experiments have overthrown the theory that animals can live on albumen alone, as the creatures starved whenever fed exclusively on either gluten or starch, yet it is probable that both have a certain distinct part to play in the human system, and that some proportions of them are more valuable to us than others. Although, too, physiology has recanted the theory that starch is *exclusively* a calorifacient, and albumen a plastic food, yet experiments leave no doubt that the former is digested in the duodenum, and the latter peculiarly in the stomach. It is easy to see, therefore, that the fraudulent and unrecognized substitution of the one for the other may make a very essential difference in the effects of diet on the sick, particularly in certain diseases

where the stomach needs rest, while the duodenum can work; or where it is very undesirable, on the other hand, to give any starchy food at all. Especially will these dangers of substituting the various farinæ for one another be important and serious in the numerous alimentary affections of very young children. At the same time, theory and experience alike teach us that real wheaten bread is more nutritious as a food than rice or potato flour. Certain preparations too are really more digestible than others. Indian corn, for example, if more fattening, may be found less digestible, from the amount of oil it contains, and also from the fact that it does not contain gluten enough to ferment into raised bread. Fresh wheaten bread was found by Dr. Beaumont to be wholly digested in three hours and a half.

When we desire to convert wheat-flour into food, experience has always taught us that two processes are necessary, but it did not teach us the reason why. The flour must be fermented, or raised, and it must be baked. The feebler digestive power of man's stomach renders all this essential; otherwise he might masticate and digest his grain like the horse. The flour must be raised, to separate and open its constituent parts, to make it light and porous, and, finally, to imitate that cellular structure which is the universal condition of all organized matter that forms our food. The dough must be baked, to crack the starch-cells by heat. And both these changes from the simple grain are necessary, in order that the gastric juice may readily permeate every part of the food, and, finding the gluten distended by gas into thin cell-walls, and the starch opened and accessible, may be able to attack and digest them speedily and profitably.

The baked loaf we shall find to differ somewhat in its chemical constituents from the simple grain. According to Vogel's analysis it is as follows: Starch, 54 parts; torrefied or gummy starch, 18 parts; sugar, 4 parts; gluten, 21 parts; and also some carbonic acid, chloride of calcium, and chloride of magnesium. This bread was made of wheat-flour, distilled water, and yeast, with no other ingredients. The cause of these changes we shall presently see.

According to the little treatise on "The Theory and Art of

Bread-making," by Professor Horsford, the microscopic structure of a grain of wheat is somewhat peculiar. By examining a cross-section of a wheat-grain we find, first and outermost, several coats constituting the pericarp, or true bran, which contains but little nutritious matter; next, an inner envelope, the gluten layer, containing cells of gluten, and constituting the true storehouse of this valuable ingredient; finally, inside of, and distinct from, the rest, and constituting the bulk of the seed, a mass of starch. The outer coats of bran may be removed by rubbing with a moist cloth, and really this is all that should be removed. The gluten contains the greater part of phosphates which are eminently necessary to nutrition, some of which are in the real bran, which contains also iron, magnesia, silica, and potassa, beside seven per cent of phosphoric acid. The ash of wheat, as a whole, has, in 100 parts, no less than 46 parts of phosphoric acid, 29 parts of potassa, 12 of magnesia, and 3 each of soda, lime, and silica.

Now the practical deduction from these details is this. It unfortunately happens that, in the process of bolting, very much of the gluten is removed with the bran, and thrown away; and that the finer and whiter the flour, the more careful and thorough is the bolting, and the greater the loss in gluten. Therefore it is that bran has been found to contain, weight for weight, more than fourteen times as much phosphoric acid as the superfine flour that is bolted from it. This excessive waste includes, as we have said, gluten, and hence nitrogen, the most important distinctive elements of wheat. Hence it is that *unbolted* wheat-bread, or the black bread of Germany, is much more nutritious than pure, refined, white bread; since the former contains all the gluten, all the phosphates, and all the nitrogenous compounds, as well as all the starch, while the latter has lost a large proportion of everything but starch. This loss being just in proprtion to the high quality and whiteness of the flour, "fancy brands" are thus far from economical for other reasons beside their greater cost.

When bread is to be fermented, a certain proportion of a peculiar liquid, called yeast, is added to start the process.

The fermenting qualities of yeast are owing to, or accompanied by, it is not quite certain which, the growth of a peculiar fungus, the *Torula cerevisiæ*, or yeast-plant. This vegetation develops cells with great rapidity, which, uniting end to end, form stems. By the operation of a principle called "catalysis," by which a ferment induces the same change in any substance with which it is brought in contact that it is undergoing itself, the dough takes on the process of fermentation. By this process several important chemical changes are induced. The starch is converted into dextrine, this dextrine into sugar, and a portion of the sugar into alcohol and carbonic acid. By the evolution of the latter gas the dough is distended with bubbles, and these are held in by their cell-walls. The starch does not possess tenacity enough to withhold the bubbles from escaping, which office is performed by the elastic gluten. Besides these changes, there are produced in fermented bread lactic, acetic, butyric, succinic, and formic acids; some ammonia; a pleasant ethereal oil; and also a greater or less liquefaction of the gluten. Of all these effects, the only essential one in raising the bread is the production of carbonic acid, and hence of a cellular structure, as it is diffused through the dough, and held by the tough gluten.

But as it was found that, with flours of inferior quality, — those poor in gluten, for instance, — the tendency of the fermentation was to liquefy the gluten so far that it could not hold the carbonic acid, so that the gas escaped, the dough collapsed, and the bread became heavy, as well as dark-colored and unsalable, it was a desideratum with bakers to find some substance which would prevent these ill results. Both sulphate of copper and alum will do it; the latter is generally used. "Alum combines with the albumen and renders it less soluble, and by so far arresting the effect of fermentation, in a twofold way, lessens the liquefaction of the gluten." It thus stiffens the cell-wall of gluten. The bread becomes more evenly and thoroughly raised, and, as a secondary effect, alum renders dark bread whiter. Thus an inferior flour will produce as handsome and salable a bread as a finer variety. These effects of alum often constitute the difference between baker's and home-made bread. With the extreme porosity of bread con-

taining alum there is an excessive production of dextrine, or gummy starch, which makes the bread dry too rapidly, and gives the brittleness and hardness characteristic of the slice of baker's bread when exposed to the air.

Let us see if the bakers avail themselves of this cheap and unsuspected adulteration. Dr. Hassall, after alluding to the adulteration of bread with rice-flour and potato-flour, which are cheaper, says that a commodity is generally bought by bakers under the name of "hards," consisting of a mixture of alum and salt. One object of its use, he avers, is to enable the bread to retain more water, and thus to weigh more. Mitchell found, on analysis, that the quantity of alum in ten loaves of four pounds each varied from thirty-four grains to one hundred and sixteen grains to each loaf. This may be in excess of the quantity usually employed. Of twenty-four samples of bread examined by Dr. Hassall, *all were adulterated with alum*. Of four samples purchased of a League Bread Company, which specially advertised pure bread, without alum, *all* were adulterated with alum. Again, says Dr. Hoskins, "As the result of a careful analysis of bread bought in different parts of this city [Boston], *not a loaf was found free from alum*." Comment is unnecessary.

We thus have found that the "staff of life," before it can reach the mouths of the people, is seriously injured in two ways: first, by bolting the wheat, which removes from the flour much of the gluten, and the greater part of the phosphates; secondly, by adulteration with alum. Professor Horsford suggests the probability of still other injuries as the result of fermentation, by the changes produced in the dough, and by the growth of fungi; but these are not proved. The use of alum is the only, or the chief, fraudulent adulteration. This defrauds the pocket, as well as impairs the goodness of the bread. By the use of inferior flour, it enriches the baker by knavery. It also exercises a more or less injurious influence on the stomach of the consumer. Alum is a powerful astringent, and almost an irritant, to the mucous membranes. It must then be very poorly adapted to a delicate stomach. After considering these facts in bread-making, we think that one would hesitate long before recommending the baker's loaf

as lighter than home-made bread for the dyspeptic. If more perfectly raised, it is less nutritious; and we have no question that the alum often produces irritation and heart-burn. It seems reasonable to suppose that the very large consumption of baker's bread in New England has some connection with that generally constipated habit of the bowels which is so prevalent here, but comparatively unknown where corn-bread is eaten, at the South and West. We call to mind one instance of a dyspeptic who has lived largely on alum bread, whose habitual constipation has grown more stubborn with years. At any rate, no one wants to eat alum instead of phosphates, and water instead of bread.

This is an important subject, and we cannot insist too strongly on the benefits of having good home-made bread. Various laws have been passed, but they are everywhere dead-letters, except in France. Paris bread is universally recognized as the best in the world: it is free from alum. As it is not always easy nor convenient to make good fermented bread, other ways have been devised of raising bread without fermentation, by the production of carbonic acid in the dough, under the influence of heat. All these kinds of bread are to be baked as soon as mixed. Among the more common devices are the mixture of saleratus, or bicarbonate of potash, with sour milk, or lactic acid; and that of the bicarbonate of soda with cream of tartar, — an acid tartrate of potassa. If the salt and the acid are perfectly neutralized, it is all very well. A still better method was invented by Henry, consisting in the use of carbonate of soda and muriatic acid, the product of which would be common salt. Dr. Danglish has devised an ingenious mode of forcing into the dough carbonic acid in solution in water, in a closed apparatus. But this is not easily practicable on a small scale. The new method proposed by Professor Horsford seems chemically the most correct, though we have no practical acquaintance with its workings. It consists in mixing with the flour a dry, acid phosphate of lime and dry bicarbonate of soda, in such proportions as to leave a neutral phosphate of lime and phosphate of soda, after the dough has been baked. In this manner the phosphates lost in bolting are restored to the bread, and the evolution of car-

bonic acid is attained without fermentation, and without any injurious secondary results. All these methods are much quicker than fermentation.

We come now to the second great universal food, Milk. This is a compound fluid, and on this account any adulteration of it is not readily discoverable, as it may differ sensibly in the proportions of its several ingredients. Thus milk may be rich or poor; with caseine, or fatty matters, in large or small amount, and yet be genuine. A more serious difficulty is that admixture with other innocent fluids, as water, may hasten its decomposition, which is very ready to take place under the best circumstances. The chief adulteration of milk is with water; the others are of minor importance. Color is no sure test, since very blue, thin milk is made to look yellow by the addition of simple coloring-matters; neither is taste a positive guide; and we must seek for some other means for detecting this adulteration. Such a means is furnished by the lactometer, by which the purity of milk is determined from its specific gravity. Some doubts which have been expressed about the accuracy of this instrument arose from one or two incidental causes of error; such as a high temperature, or the presence of a large amount of cream, rendering the specific gravity less, since cream is very light. That it is the means made use of by the milkmen themselves in testing their stock when taken from the farmer, is pretty good proof of its trustworthiness. Dr. Hoskins, in particular, having devoted very considerable time and care to the question, has come to the conclusion, that within the limits proposed it is to be entirely depended upon. The lactometer is a specific-gravity instrument for fluids, or an hydrometer, having a graduation peculiar to itself. The stem is graduated from 0 to 25. 20 corresponds with the ordinary specific gravity of pure milk; and very nearly with 10.30 on the common hydrometer. If the lactometer floats in milk at 15, it is adulterated with 25 per cent of water; if at 10, with one half water; and so on. It is rarely found to vary more than three fourths of a degree from 20 in pure milk. Flour or starch, gum tragacanth, and turmeric are sometimes added to give density or color, and carbonate of soda to prevent incipient acidity.

Salt is a not uncommon, sheep's brains quite a rare, adulteration.

The nature of the cow's food has considerable influence on the milk. Carrots and beets increase the amount of sugar. Morbid matters and even pus-corpuscles have been found in the milk of diseased cows; and seven times the normal amount of phosphate of lime in the milk of cows with tubercular affections of the lungs. Grass or hay, fresh air, and some locomotion, are indispensable to the health of the cow and the purity of the milk. But in defiance of this law, cows are fed on the used grain of the distillery, and kept closely confined in improper stalls. Such has been the case to a limited degree in London, and such is the present state of things in New York. Cows are tied up by hundreds in the "swill-milk" stables, so closely that they must lie on each other when they try to rest; and they remain there until they die, or are taken out to be slaughtered as death approaches. They are fed upon the refuse of the distillery, smoking hot, and on no other food. This destroys their teeth, and soon establishes a profuse diarrhœa. The tail rots off, the intestines ulcerate, and life closes with destruction of the lungs. All this time the poor creatures are milked until nature is exhausted. The distillery slop increases the quantity of milk; but the quality is, of course, execrable. The specific gravity is not over 10.16, and the milk is always acid to test-paper. This vile compound is dealt out all over the city as pure country milk, and would seem to be sufficient of itself to account for the excessive mortality among children in New York. Exposure and remonstrance have alike proved unavailing. Attention was called to it more than thirty years ago; and it was then estimated that there were five hundred such dairies in New York and Brooklyn. In 1842, Mr. Hartley wrote a very thorough and scientific *exposé* of the system, in book-form; and some four or five years ago, the horrors of the swill-milk stable were portrayed in a series of illustrations in a New York journal, and the routes and numbers of the milk-carts which traded in this abominable commodity were given. But the state of things is said to be now as bad as ever.

Cheese does not seem to be capable of much adulteration;

though, of course, there is every quality of richness in it; as the Parmesan, or skim-milk cheese; the Cheshire, made from new milk; and the Stilton, made of new milk with the further addition of cream. Cheese is rich in proportion to the butter which remains with the coagulated caseine. It is properly made with the rennet of the calf. But it is not unfrequently falsified with pig's rennet, which gives it an unwholesome fermentation, and the use of which may be recognized by its leaving the cheese full of uneven and large cavities. Cheese sometimes is subject to a form of mould, or fungus, which is poisonous. It is often colored with *anotta*, the seed-capsule of a plant growing in Guiana. This furnishes an elegant red, harmless in itself. But *anotta*, we learn, is often adulterated with red ochre or powdered bricks.

Butter is adulterated with an excessive amount of salt, with water, and with lard. Dr. Hassall found the amount of water in samples he examined to range from 8 to 28 per cent, and a letter from an honest dealer informs him that water is added for weight to the amount of 50 per cent. It is incorporated by heating the butter to the melting point, and stirring it in with salt. Some water always remains in butter from the whey. A fraudulent amount may be detected by melting it, and allowing it to stand near the fire in a bottle, when all the water will settle at the bottom. The adulteration with lard is peculiar to this country, because lard is here so much cheaper than butter. Dr. Hoskins assures us that he often found as much as 30 per cent of lard in butter, and this by no means always in butter bought from the meaner stores. Lard may be detected under the microscope by the crystals of margaric and stearic acid. Lard itself is adulterated with flour, and very largely with water, often to the amount of 25 per cent. It is also often improperly made from the fat of the intestines of the hog, which gives a soft, poor, and filthy lard.

We are inclined to think that sugar is in a better state in this country than it is in England. Our supply is near, abundant, and cheap. At the same time, it is well to look at its chief sources of adulteration, since more or less of them are found here. Sugar is of two kinds: cane-sugar, made from the sugar-cane, and grape-sugar, which may be made by the meta-

morphosis of starch or woody fibre, and is called glucose. There are also the beet-sugar, sugar of milk, etc., with which we have nothing to do. The practical difference between cane and grape sugar is in the much greater sweetness of the former. If, therefore, much grape-sugar is mixed with that which is bought for cane-sugar, the purchaser is defrauded; and as grape-sugar may be produced by the action of sulphuric acid on woody fibre, if it is designedly made and introduced, it becomes an adulteration. Really, almost all cane-sugar contains a portion of grape-sugar; but unless in very large amount, it is probably produced naturally by a chemical change in the lignine and starch of the cane. Some years ago glucose was manufactured in England, cheaply, from potato-flour, and used for the adulteration of cane-sugar. But the excise authorities having imposed a duty on it, it ceased to be made. It is sufficient to indicate this source of falsification.

Other causes of impurities in sugar are vegetable albumen, from the manufacture and grinding; blood, used in clarifying white sugar; lime, from the refining; starch, from adulteration with flour; rarely lead or iron, from vessels in which it is prepared; very commonly sand or grit, both accidental and fraudulent; "handling," by which is meant the putting together much of a good sugar with some of inferior quality; and lastly, in brown sugars, the presence of animalcules and fungi. The *Acarus sacchari*, or sugar-mite, is a disgusting parasite of the itch-insect species, whose *habitat* is brown sugar. Like all other animals, he must find some nitrogen on which to live; and since sugar itself contains none, he must get it from the impurities in the poor varieties. It is accordingly found that *Acari* are numerous in proportion to the dirtiness of the sugar. There is another insect of the same class, the *Acarus farinæ*, in damaged flour. Now it curiously happens that both bakers' and grocers' apprentices are liable to an eruptive disease of the hands, called the bakers' or the grocers' itch. It seems probable, therefore, that this hitherto mysterious affection is caused by these varieties of the itch-insect. Sporules of fungi are also to be found largely in brown sugars; and as these also need nitrogen, they must derive their nourishment from its

impurities. In 36 samples of brown sugar Dr. Hassall found *Acari* in 33; and in 19 of them, in great numbers; sporules of fungus in 10; sand in 11; grape-sugar, albumen, woody fibre, and starch in all; and in 4 the starch was in fraudulent amounts. In 51 samples of white sugar he found flour in 15, but other impurities were less. Again, in 36 brown sugars he found *Acari* in all (and some swarmed with them); adulterations of tapioca and potato-flour in 2. Dr. Hassall concludes that the brown sugars of commerce are generally unfit for human use. In Boston the only adulteration of white sugar seems to be with flour. The granulated sugars appear pure, but in the moist and dark browns sugar-mites could doubtless be found.

The cunning Chinaman so exhausts the fertility of his fraudulent invention in the preparation of tea, that it would seem as if no other sophistication were left for home manufacturers to practise. Yet they find many, both in substituting other leaves for tea-leaves, and in re-making and mixing teas. Some people even assert that we never get any fresh, unused teas from China. The principal adulterations of black tea, according to Dr. Hassall, are the use of leaves other than those of tea, the re-preparation of exhausted tea-leaves, and the employment of substances to impart color and astringency to the infusion, or to glaze and face the surface of the dried leaves. It is stated, on good authority, that the Chinese annually dry millions of pounds of the leaves of the ash, plum, and other trees, to mingle with teas. These frauds cannot be detected without the microscope, but with it are very readily perceived. Even when the leaves are ground and reduced to powder, as in lie tea, a fraudulent commodity made of tea-dust gummed together and colored, the microscopist can recognize the species of the leaf from a minute fragment, by the size and form of the epidermic and chlorophyl cells, the stomata, and other particulars. The leaves of the sloe, willow, hawthorn, plane, oak, beech, elder, elm, and many others, are used to adulterate tea.

The fraud of re-vamping exhausted tea-leaves may be detected chemically, since the tannin, coloring matter, and theine are much reduced in amount, and the lignine increased,

by the addition of foreign leaves and stalks to make up the mass of supposed tea. Black tea should contain of lignine about 46 parts, and of tannin 42 parts in the 100. In the exhausted leaves, sold as good tea, the lignine is often increased to 80, and the tannin sinks to from 1 to 5 parts. To restore the taste somewhat, powdered catechu is added. This may be found in masses under the microscope. Many false articles are sold in London to improve the taste of these exhausted teas. As, for example, to copy a label, — "Great Economy to Tea-Drinkers, La Veno Beno, The Chinese Tea Improver," "four times the strength of the strongest teas," "will make quarter of a pound of tea last as long as half a pound." Analysis: *Sumach-leaves and powdered catechu.* Again, "The Chinese Botanical Powder, or Chinese Economist," consists of catechu and wheat-flour.

It is difficult to make exhausted tea-leaves resume their former curled state. This is done by steeping them in a solution of gum; and sulphate of iron is added to deepen the color. Logwood and talc, or China clay, are used to give a bloom, and, worst of all, many black teas are faced with plumbago, or black-lead, which reduces the cup of tea to the same chemical constitution as stove-polish. *Lie tea* is a falsification composed of tea-dust, or fragments of other leaves, stuck together with gum, and glazed and colored with more or less unwholesome pigments. This is used to mix with other teas. Dr. Hoskins is convinced of its use in this country, from having seen chests of it in tea warehouses in New York. It is made often elsewhere than in China. It appears from Dr. Hassall's analyses, that the common Congous and Souchongs are more genuine than the fancy and scented teas, as Pekoe, Caper, and other varieties. Of 35 samples of black tea, 12 were adulterated with black-lead, indigo, turmeric, and tea-dust. The fabrication of spurious black tea is extensively carried on in London.

Green tea is somewhat mixed with other leaves in China, but its worst adulteration is in the artificial coloring of the leaves. It is said that the color and bloom of all green teas are entirely unnatural. The colors used are three, yellow, blue, and white. Prussian-blue, or ferrocyanide of iron, is the

most frequent blue. It is not positively poisonous, but sometimes injurious. Chromate of potash is a yellow color, irritant and caustic. Gypsum, soapstone, mica, turmeric, indigo, and clay are also used in China. All these poisons have been seized with, or found in, spurious teas in England. In 30 samples of green tea, as imported from China, all were found adulterated. Five consisted of lie tea, all were artificially glazed and colored. The blue in 28 instances was Prussian blue. Not a genuine leaf was found, free from artificial glazing, which presented a green color. Of 20 samples of green tea purchased in London, all were adulterated. Foreign leaves, exhausted tea-leaves, and lie tea composed the "British teas," made in England. It is needless to add that Dr. Hoskins finds the same frauds in teas in the United States. Black teas are not now so much adulterated as green. But the latter are going out of use; and then, no doubt, the whole attention of the adulterators, both abroad and at home, will be turned to black tea.

Ready-ground coffee has long been regarded with a suspicion, which unfortunately is too well deserved. Until the improved use of the microscope, there was no certain way of detecting its adulterations. Now, however, it is perfectly easy to do so. Nor does the roasting of the berry interfere, since the parts, although charred, still preserve their characteristics. It will be readily understood, also, that grinding is no obstacle, since the finest powder exists as large lumps under the microscope. Coffee is easily distinguished from its principal adulteration, the root of the chiccory, or wild endive, by the presence in the woody fibre of the latter of dotted or interrupted spiral vessels, which do not exist in the former. The various farinæ of the *Gramineæ* and *Leguminosæ*, as the flour of wheat, corn, beans, and pease, also present a characteristic network, or reticulation of their cells. Of the first 34 samples analyzed by Dr. Hassall, 31 were adulterated with chiccory, 12 with roasted corn, 1 with beans, and in many instances the proportion of coffee was very small, as one fifth, one fourth, or one half of the whole article. In a second series of examinations, after fair warning had been given, of 42 samples of ground coffee, labelled with the most attractive

testimonials of its strength and purity, 31 were found adulterated with chiccory, as before. Canister coffees, put up and sold in tin cases, were found the worst of all, adulterated very largely with chiccory, beans, and acorns. The reason of this is obvious, when we learn that the package is sold for the same price as the ground coffee by the pound, and that the customer must be made to pay for the tin canister without his knowledge.

The use of chiccory with coffee has been speciously defended as not only harmless, but salutary. Chiccory, succory, or wild endive, belongs to the same natural family as the dandelion. The root, roasted and ground, is used. It contains nothing which can be regarded as a substitute for the virtues of coffee. It has neither the alkaloid caffeine, nor the aromatic volatile oil, nor anything analogous to them. It consists of cellulose, gummy matter, glucose, and a bitter extractive, of which the latter only can by any possibility possess active properties, and this is destroyed and disappears in roasting. On the other hand, well-roasted coffee yields 37 per cent of extractive to boiling water, of which one fourth are nitrogenized matters, highly nutritious. The aromatic essential oils, and particularly the *caffeine*, are regarded as fulfilling very important dietetical functions. Chiccory contains nothing of the kind. An interesting experiment was made by three persons drinking pure chiccory for breakfast, on three separate occasions. Each time they experienced a feeling of drowsiness and weight at the stomach, and great indisposition to exertion. On the first trial, in two headache set in, and in the third the bowels were relaxed. But it is said that these evils do not result from chiccory mixed with coffee. Two persons partook, for a considerable period, of coffee largely adulterated with chiccory, and during nearly the whole time they suffered more or less from diarrhœa. It will be seen, then, that no possible results can be gained from mixing chiccory with coffee analogous to those of the pure berry. Chiccory is wholly inferior, inert, and even hurtful.

Another argument has been used, that the mixture of chiccory and coffee affords a cheap beverage for the poor. The answer is, that chiccory is so much cheaper than coffee, that any

such mixture sold under the name of coffee, and at anything like the ordinary prices, can only be an atrocious fraud. Moreover, in speaking of ground coffees, it must be remembered that many poor persons cannot afford a coffee-mill to grind their own, and thus protect themselves from adulteration. Chiccory itself is also largely adulterated with cheaper, and even worse articles; as with carrots, parsnips, mangel-wurzel, lentils, biscuit-powder, burnt sugar, and a red earth. In twenty-two analyses of chiccory, nearly one half the samples were found adulterated. Chiccory grows wild on the road-sides in this vicinity, and Dr. Hoskins found this substance and pease the chief adulterations here.

Genuine cocoa contains 53 per cent of fatty matter, 16 per cent of aromatic albuminous matter, 10 per cent of starch, and nearly 8 of gum. It will thus be seen, that in its pure state it is a very concentrated and nutritious, as well as agreeable food. As it is much used by invalids, it is particularly important that it should be pure. The cocoa-seed has certain tubular fibres and enlarged cells, which distinguish it; crystals of margarine and its starch corpuscles are also peculiar to it. Different parts of the seed and husk are sold under the names of nut, shells, flake, granulated, and soluble cocoa. It is adulterated with foreign fatty matters, which become rancid on exposure to the air, with excessive amounts of starch, which the microscope will assign to their respective plants, with sugar, and with red coloring earths. In 56 samples, sugar was found in 43, starch in 46, in the form of wheat or potato flour and sago-meal, and in proportions varying from 5 to 50 per cent. Chocolate is a manufactured article, best made with sugar and the starch of arrowroot. Other starches are found in many samples, but they are not objectionable unless in excess. In another analysis, by Dr. Hassall, in 68 samples of cocoa and chocolate, 39 contained earthy coloring substances, consisting mainly of red ochre. We are very glad to learn from Dr. Hoskins, that American cocoa and chocolate, prepared in this neighborhood, are quite pure and good.

But it is above all in articles of diet for the sick that adulteration is the most universal, as well as the most wicked.

The various farinæ, especially, are much sophisticated, and the numerous high-sounding patent preparations of invalids' food are mostly worthless. Arrowroot, when pure a most efficient and soothing article of diet, suffers much from admixture with inferior starches and flours. The Maranta arrowroot, obtained from the *Maranta arundinacea*, is the original variety, and the most valuable in all its qualities. It commands from one to three shillings per pound in London, and one table-spoonful will gelatinize a pint of water. There are many other and inferior varieties, which can be recognized under the microscope by the different shape and size of their starch-cells. Such are the *Curcuma*, *Tacca*, and *Manihot* arrowroots. And, besides these, there are adulterations with sago-meal and potato-flour. A favorite receipt with the adulterators is equal parts of the two last-named articles. Of 50 samples of arrowroot, 22 were adulterated, in all cases with sago, tapioca, or potato. Ten of the specimens contained scarcely a particle of genuine Maranta arrowroot, and some consisted *wholly* of potato-flour.

It would hardly be supposed, says Dr. Hassall, that so cheap an article as oat-meal would pay for its sophistication. Yet of 30 samples examined, more than half were adulterated with large quantities of barley-meal. This might appear of slight importance, if we did not consider that oat-meal forms so frequent an article of daily food for both adults and children in the English workhouses. Oat-meal costs 14*s*. per hundred-weight, barley-meal only 7*s*. Pereira thus describes their relative value as food.

"With the exception of maize, oat-meal is richer in oily or fatty matter than any other cereal grain, and its proportion of protein compounds exceeds that of the finest English wheaten flour. So that both in heat and fat making, and in flesh-making principles, it holds a high rank. . . . . Barley-meal contains less of the protein principle; its starch offers more resistance to the gastric juice; its husk is acrid, if not carefully removed, and it is more laxative."

That these changes may make a fatal difference to the poor under-fed children of many Union almshouses, is proved by an inquest held by Mr. Wakley over the bodies of certain young victims of disease, whose chief food was oat-meal largely adulterated with barley.

But the most unblushing frauds appear in the patent articles of food and diet. Foremost among these are the preparations styled *Ervalenta* and *Revalenta Arabica*, two rival articles extensively sold in England and here. One is described as an "agreeable, nutritious, farinaceous food; cures constipation and indigestion; a most suitable diet for children, aged persons, and invalids generally. Its eminent properties as a curative dietetic have been acknowledged by the first physicians and analytical chemists of the day." Price 2*s*. 9*d*. the pound. Then follow certificates of all kinds. The other is "Du Barry's Revalenta Arabica, or Health-Restoring Food, for invalids and infants; discovered, exclusively grown, and imported by Du Barry & Co. . . . . This light and delicious breakfast farina speedily removes dyspepsia, constipation, acidity, heart-burn, diarrhœa, nervousness, biliousness, palpitation, eruptions, scrofula, debility, sleeplessness, involuntary blushing, melancholy, indecision," &c., &c., &c. Price, the same as the other, and certificates quite as good. Then we have a long caution about imitations; and finally this closing statement: "Cruel deceptions on Invalids exposed. The health of many invalids has been fearfully impaired by spurious compounds of pease, beans, and lentils, palmed off on them under similar names, such as Ervalenta, and so forth, but Du Barry's Revalenta has obtained the highest testimonials of cures. We give the description, from the Pharmacopœia, of the bad qualities of the Lentil: '*Ervum Lens* (Lentil), difficult of digestion, astringent, hurtful to the eyes, and producing weakness of the extremities.'" On analysis it was found that the Ervalenta and Revalenta Arabica were very similar in composition, being made, respectively, of the *French* and *Arabian Lentil*, sweetened and nicely put up. Says Dr. Hassall: "We recently partook of some of Du Barry's Revalenta Arabica, and found the flatulent effects so unpleasant, that we would not willingly repeat the experiment." It is practically equivalent to pea or bean flour.

Among other high-sounding farinæ, we find the following: "By her Majesty's Royal Letters Patent. *The Prince of Wales's Food.* Patronized by the Faculty. This article is decidedly superior to arrowroot, tapioca, isinglass, &c.; it never becomes

acid on the stomach, and is peculiarly valuable for thickening soups, and making delicious puddings and blanc-mange. Price 1*s*. This unrivalled preparation is justly considered one of the greatest triumphs of vegetable chemistry of which the present age can boast." An analysis of the Prince of Wales's Food proved it to consist entirely of *potato-flour*. So, too, "Leath's Homœopathic Farinaceous Food" consists of wheat-flour, potato-flour, and Indian meal; "Maidman's Nutritious Farina," of potato-flour, colored with rose-pink; "Hard's Farinaceous Food," and "Braden's Farinaceous Food," of wheat-flour, baked or browned; "Jones's Patent Flour," of flour, tartaric acid, and soda; "Baster's Soojie," of wheat-flour sweetened with sugar; and "Palmer's Vitaroborant," of lentil and wheat flour.

Isinglass is made from the swimming-bladder of the sturgeon. It is both expensive and valuable as a delicate food for invalids. It contains naturally some gelatine. Gelatine is made from old bones, old hides, and such sources, and is both an inferior and cheaper article. It is hence used to adulterate isinglass. Of 28 samples of isinglass analyzed, 10 consisted entirely of gelatine.

Vinegar owes its agreeable pungency to a volatile principle, acetic acid. This is the next stage in fermentation after the formation of alcohol. Good vinegar should contain not less than *four* per cent of acetic acid. The four principal vinegars of commerce are made respectively by fermenting wine, malt, and sugar, and by the destructive distillation of wood. The principal adulterations of vinegar are dilution with water; the addition of sulphuric acid; the substitution of pyroligneous for acetic acid; the use of burnt sugar to color, and of acrid substances, as Chili peppers, to give pungency. The addition of a very small amount of sulphuric acid to keep malt vinegar is allowable. In small quantities it is harmless; in large proportion, injurious to the coats of the stomach. As it is a cheap and powerful acid (oil of vitriol of commerce), it is a favorite adulteration for poor vinegars. It is detected chemically. As the result of analyzing 28 samples of vinegar, we have the acetic acid ranging from 5 to 2½ per cent.; 18 were adulterated with sulphuric acid, — in 9 samples in con-

siderable amount, and in 7 in immense quantity. Dr. Hoskins found a great part of the vinegar sold in Boston below the standard strength, and a number of samples adulterated with sulphuric acid.

Of course this species of vinegar is to be found in pickles; but other poisons await us there. "People ask," says Dr. Hassall, "'What! are not the gherkins, cabbages, beans, &c. which we see in the bottles what they appear to be?' Gherkins often turn out sliced cucumbers; the beans are old and tough, the cauliflowers run to seed, and the red cabbage is often dyed white cabbage. There are also other illegal contents, as vegetable marrows, sliced turnips, and some nondescripts, which would puzzle even a botanist." But this is not the only reason that pickles are considered so unwholesome. There is a more deadly ingredient, and that is *copper*, a mineral poison, added to give a bright green color. This vile adulteration is wholly unnecessary, for a fine green can be given to pickles, which are prepared with good vinegar, by the addition of salt. This adulteration is to be detected chemically; but an easy test can be applied, on the table, by inserting a polished knife-blade into the pickle-jar; copper, if present, will be deposited on the steel, in a metallic state. In 16 samples of pickles analyzed, the vinegar ranged only from 1.48 to 2.91 per cent; all contained sulphuric acid; all contained copper, — in 12 in very considerable amount, and in 3 in absolutely poisonous amounts. It is, perhaps, useless to try to prove the unwholesomeness of so violent a poison as copper. Two thirds of the American pickles examined were found to contain this poison. The moral is, Avoid very green pickles, and buy the paler tints.

Copper exerts similar verdifying influences on bottled fruits and vegetables. From an analysis of 33 samples, Dr. Hassall found copper in 27, and comes to the conclusion, that preserved *red* fruits do not as a rule contain copper, but that green fruits very generally do, — limes and gooseberries a considerable amount, rhubarb and greengages much more, and olives most of all.

Spices, being sold mostly in a powdered state, offer a facility of adulteration to the grinder which the fraudulent cannot

resist. On the comparative catalogue of frauds we may place these commodities as both more, and more generally, adulterated than any other articles. Many inert substances are mixed with them, and this necessitates the addition of still more injurious ones to restore the color, appearance, and pungency. Besides these positive adulterations, vast quantities of old or damaged and inert ginger, mustard, pepper, cloves, and allspice are constantly bought up and ground for sale by the spice-manufacturers. All these falsifications, we learn, have been extensively found in Boston. As we have before indicated, the adulterations of spices are readily recognizable under the microscope. Dr. Hassall found that, of 42 samples of mustard, all were adulterated with immense quantities of wheaten flour, colored with turmeric; and he concludes that *genuine mustard* is scarcely ever to be obtained. Ginger, in 15 out of 21 samples, was found adulterated with sago-meal, potato-flour, wheat-flour, ground rice, turmeric powder, and Cayenne pepper. Cinnamon contained the inferior cassia, and wheat, potato, and sago flours in more than one half the samples. Nutmegs are distilled in water, and their volatile oil extracted fraudulently. Mace and cloves were found pretty genuine, and also allspice. But the most fearful falsification is in Cayenne pepper. In 28 samples, 24 were adulterated, — many with ground rice and red ochre or brick-dust, 22 with mineral coloring-matter, 13 with *red-lead* in poisonous quantities, and one with vermilion, or sulphuret of mercury.

Genuine curry-powder consists of turmeric, black-pepper, coriander, cayenne, cardamoms, cumin, ginger, allspice, and cloves. It is found to be adulterated with ground rice, salt, ferruginous earths, and the fatal red-lead. Anchovies are found to consist of other and inferior fish, and the sauce to be colored with bole Armenian, or Venetian red, often so saturated that these earthy powders could be obtained in spoonfuls from the bottom of the jars.

The many sauces which are used as condiments, very largely by the English and to some extent in this country, are also adulterated mixtures. For instance, treacle and salt formed the basis of 5 samples of India Soy examined; in "Lazenby's Harvey's Fish-Sauce" were found oxalate of lime and charred

wood-chips, probably used to give color; 6 samples of tomato-sauce were artificially colored with cochineal or the ferruginous pigment, bole Armenian; the essences of lobsters, shrimps, and anchovies were each saturated with this red dirt, harmless perhaps, but more clogging to the bowels than palatable to the mouth. No lead was found in the sauces, but some traces of copper were detected in 4 samples. Copper also was detected in 33 out of 35 samples of jellies and preserves, as raspberry-jam, gooseberry-jam, marmalade, and the like. This demonstrates, says Dr. Hassall, that *preserves made in copper vessels almost invariably contain copper*, and often in considerable quantities. It is very gratifying to learn from Dr. Hoskins, that, so far as his investigations have extended, the French preserved fruits, meats, liqueurs, and confectionery are genuine and free from adulteration. Penal laws and rigid governmental inspection both contribute to this happy result. It is also pleasant to know that the meats and vegetables put up here appear good and genuine. The potted meats of England, of which large quantities are made, are for the most part badly adulterated with red ferruginous earths, as Armenian bole. And this, or the other coloring-matter, Venetian red, is sometimes itself falsified with red-lead. Moreover, it is also very doubtful, when one eats English potted meats, whether he is not partaking of old and bad material, or of some species of animal he never ate of before. Mr. Richardson, officer of the local board of health of Newton, near Manchester, thus testified before Parliament: —

"We have in Newton five knacker's yards, and there is only one in Manchester. The reason is because they are so much more tolerant in Newton; and it has been a source of great profit to them, because they have the means of selling the best portions of the horse-flesh to mix with potted meats. I can say for a fact, that the tongues of horses particularly, and the hind-quarters, are sold for this purpose."

Vast quantities of such offal were, not long ago, supplied by contractors for the use of the British Navy. Tons of it were examined, condemned, and thrown overboard.

There can be little doubt, from the occasional seizures of diseased meat in the markets, by the inspectors, that very much escapes detection, and is sold in a state unfit for human food.

It has long been known that German sausages and cheese sometimes take on a poisonous action, probably from the development of injurious fungi. Clams, also, and oysters, as well as the wild partridge, seem sometimes endowed with toxical properties. Although no specific explanation can be given, it is at least equally certain that the flesh of animals dying of disease, or slaughtered in a state of chronic ill-health, must be hurtful as food. Much of this vile material must be packed as corned beef, and made into potted meats and sausages, and still more sold directly to the poor, at so cheap a rate as to attract their custom. Such pest-houses as swill-milk stables must furnish large amounts of this meat. One effect of such food we do know by direct physiological experiment. Measly pork is the flesh of pigs infested with a parasite, the *cysticercus*. This pork is often sold for food. It has been proved, by two experiments on convicted criminals, that this will give rise to tape-worms. The convicts were fed with measly pork, or *cysticerci*, a few days before their execution, and on a *post mortem* examination numerous young tape-worms were found.

So far does the habit of adulteration or sophistication extend, that we find even perfumes, which are very readily and simply made from the flowers themselves, manufactured entirely out of an artful combination of essential oils, without one particle of the real perfume of the plant whose name they bear. It would be useless, in this connection, to do anything more than advert to the notorious falsification of wines and spirits. This is not of such vital importance as the purity of food.

Tobacco is probably purer here than abroad. Unmanufactured tobacco was not found to be much adulterated in England. To save the difference of duties, much tobacco is there imported raw, and undergoes domestic manufacture into cigars. There were no graver frauds found in these native-made cigars, than the use of a poor quality of tobacco, or the occasional substitution of the leaves of other plants, or hay for filling them. These are of little consequence. But the adulterations of snuff are more serious. These are of various kinds, to give pungency, color, and smell. They are, — salt, added in

large quantities to all kinds of snuff, and ranging as high as 12 per cent; the carbonates of lime and potash; colored ferruginous earths, as red ochre, yellow ochre, and umber; *chromate of lead* in 9 samples, of which 5 were Scotch snuff; and red-lead in 3 samples. When we consider how intimately these various substances are brought and retained in contact with the delicate and expanded mucous membrane of the nose, and probably of the frontal sinuses, it is no wonder that the use of snuff has been found to be more injurious than chewing or smoking tobacco.

There are two other adulterations remaining, if possible more serious and pernicious, as they are more fraudulent, than any that have been spoken of; these are the adulterations of confectionery and of medicinal drugs. It will be recollected that when, by the terrible poisoning case at Bradford, England, many persons lost their lives by eating arsenicated lozenges, which were hawked about the town, it was testified that the mistake arose in this manner. An apothecary's apprentice, receiving his weekly call for "stuff," or gypsum, from a confectioner, went into the cellar and mistook a package of arsenic for the lime required. It was thus conclusively proved that white lozenges were systematically adulterated with sulphate of lime. Dr. Hassall finds this to be the case now, while much flour is also used. But it is the fancy-colored confectionery which furnishes the most poisonous adulterations. All the gay colors are liable to be produced by violent mineral poisons. The colors used are chiefly red, yellow, blue, green, brown, and purple. In 100 samples of colored confectionery analyzed by Dr. Hassall, the colors were found to be as follows. Of the reds, 61 were colored with cochineal, 12 with red oxide of lead, and 6 with vermilion, or bisulphuret of mercury. Of the yellows, 59 were colored with chromate of lead, and 11 with gamboge. Of the blues, 1 was colored with indigo, 11 with Prussian blue, or ferrocyanide of iron, 11 with Antwerp blue, a modification of the above, and 15 with German ultramarine, a silicate of alumina and soda. Of the browns, 8 were colored with ferruginous earths. The purples betrayed a mixture of Antwerp blue and cochineal. Of the greens, 10 were colored with

Brunswick green, a mixture of chromate of lead and Prussian blue, 1 with verditer, or carbonate of copper, and 9 with Scheele's green, or arsenite of copper. What an apparatus of death! Moreover, the colors were so combined, that from three to seven colors occurred in the same parcel of confectionery. Gamboge is a drastic cathartic; Prussian blue, Antwerp blue, and German ultramarine are injurious; while the chromates of lead, red-lead, vermilion, the Brunswick greens, verditer, and Scheele's green are *deadly poisons!* Further, it appears that the ornaments on cake are painted on with white lead; and bronze powders, an alloy of copper and zinc, are employed in certain kinds of colored confectionery. Nor is the use of these mineral pigments at all necessary; for the Council of Health of Paris have furnished a very full list of innocent vegetable colors.

Those who defend their practices in employing mineral substances to ornament confectionery say, that the colors contain such infinitesimal amounts of poison, that no harm can ensue. But this is entirely false; for repeated cases of poisoning have occurred, and enough of the pigments have been scraped off from even small pieces of this confectionery to kill animals as large as a rabbit. It is also to be considered that these articles are eaten principally by very young children; and also, that these mineral poisons are cumulative, so that repeated almost infinitesimal doses will gradually accumulate in the system, which is unable to throw them off, until a poisonous and even fatal amount is reached. That even a single article contains sometimes a fatal dose, the following case proves. Mr. Hetley, of Marylebone Infirmary, being called to see some persons suddenly ill, found *three adults and eight children* severely affected with vomiting. Their mouths were colored green. It was found that they had all partaken of a cake of confectionery which had cost only two-pence. It was a thin cake of sugar and plaster of Paris, covered with a *bright green* coat. At Nottingham, England, twenty-one persons were poisoned at a public dinner, by partaking of a blanc-mange, the top of which was colored green with arsenite of copper. Again, Dr. Fergus published the cases of three children who were poisoned by eating the sugar ornaments of a twelfth-

cake. Numerous cases are recorded in this country. As Dr. Hoskins well says: "How many children have expired in sudden convulsions, where no one ever suspected the virulent cause in the apparently innocent, gayly-colored sugar-plum, clasped in its little hand, perhaps even in its dying struggles. I write somewhat warmly upon this subject, for I happen to have seen one such case myself. I hope never to see another."

It follows, then, that all colored confectionery is to be carefully avoided; and that even the tinted papers in which it is wrapped should be kept out of children's way, as almost equally poisonous. Yet children are very fond of sugar, and it is good for them physiologically, as now proved, to help the bone-making function. And we suspect that much of the unwholesomeness of candy is to be ascribed to the adulterations, rather than the sugar. By confining children to the white candies, exclusively, we shall at least be sure that they are eating nothing worse than flour, whiting, and gypsum, or sulphate of lime.

The adulteration of substances used in medicine is probably fully as great as, if not greater than, that of articles of food, and it is rather by the substitution of poor and inert articles for genuine and efficient ones, than by the admixture of poisons. The remarks made with regard to spices hold good here with tenfold force. The amount of poor, old, worm-eaten, and improperly prepared or damaged drugs which are ground up and thrown into the market is something enormous, and the state of things, we have every reason to think, is even worse here than in England. No physician can have failed to notice the very different effects produced by the same dose of such drugs as ipecac and opium, given under similar circumstances, to patients of the same age. Idiosyncrasy is not enough to explain this entirely. The same dose of an opiate powder which failed in our hands in producing any effect on a child of three years, made another child of five years sleep for twenty-four hours; or, in other words, completely narcotized it. The like is true of many other articles, and while we cannot doubt of the existence of much falsification here, we can give the proofs of certain analyses made in London.

To show first the inequalities of manufacture, we will cite the London Lancet of 1853–54. Good laudanum should contain, if of a standard quality, — and it should be all made alike by maceration in alcohol fourteen days, — about one grain of opium to 19 minims of laudanum. In 21 samples analyzed, the amount varied from one grain in 4 minims, to one grain in 34 minims. Or, in other words, a person taking the average dose, of about 25 drops of laudanum, would get, in the one case, nearly five grains of solid opium, a poisonous dose; and in the other case, hardly more than half a grain, or much less than the average dose. Again, to speak of differences in the raw drug, of 23 samples of solid opium, 19 were adulterated with poppy capsules and with wheat-flour; and the proportion of the alkaloid, or active principles, varied from two to fourteen per cent. Opium containing only two per cent of morphine must be sophisticated. Again, of 32 samples of powdered opium, *one* only was found genuine, the rest being adulterated with flour. So much for the most valuable agent of the Pharmacopœia, to which so many sufferings yield, but toward which so many sufferers must look in vain, if such adulterations are practised.

Other drugs fare as badly. Of 33 samples of ipecacuanha, 18 were adulterated with chalk, wheat-flour, starch, and woody fibre; and in several cases, in order to restore the emetic properties, which these inert substances had reduced, with large amounts of tartar emetic, a much more violent article. Scammony was mixed with wheat-flour, chalk, lentils, woody fibre, sand, and colored earths. Of 33 samples of jalap, 14 were adulterated with woody fibre, down to one third their genuine strength. All other drugs, doubtless, suffer equally. These sophistications probably take place in the drug-grinders' hands. We do not believe that the retail druggists are guilty of them; but they do not all test, or know how to examine, their drugs, and the fraud passes unsuspected by them.

It seems reasonable to conclude, that much of the present scepticism about the use of medicine has had its origin in the inertness, and hence the doubtful effects, of drugs. It is certainly not conducive to faith in therapeutics — at all times subject to so many other unavoidable doubts — to give opium

deprived of its morphia, ipecac robbed of its emetine, or chalk and flour for a cathartic; or to expect, in vain, from them any perceptible effect. The sugar globules of the homœopath may be, therefore, as powerful as the most heroic of regular doses. And these frauds, of course, equally shake the tottering faith of the patient, and often drive him into the arms of a system which, when honest, is inert; instead of remaining to be treated by the old way, which is effective in proportion to the genuineness of its weapons.

Many other evils arise from adulteration. The physician, besides the vast array of natural diseases which he is called on to diagnose and combat, must now be constantly on the watch to trace maladies to some secret mineral poison, or to some unsuspected fraud in diet, which he had not thought of, or feared before. For we have seen the fraudulent, repulsive, and even poisonous adulterator thrusting his fatal finger equally into the scanty gruel of the pauper, and into the rich man's fancied arrowroot, or farinaceous delicacy. From the solid food of adults to the playthings of children, from the kitchen to the nursery, and thence to the sick-chamber, unsuspected fraud takes its fatal way, and mingles its last poison in the potion of the dying invalid. This language is feeble in comparison with the fearful truth of those frauds, thefts, adulterations, and poisonings which statistics prove to follow us all, from the cradle to the grave.

Adulteration, too, exercises its immoral influences upon trade, — encouraging fraud, and discouraging the honest trader by a ruinous system of underselling. He who sells only genuine articles, at their real cost, can thus stand no chance in competition with the vendor of adulterated goods. Apart from its effects upon the stomach and the health, these frauds also exercise a vast influence upon the pockets of the whole community. To view them in the light of political economy, they are an immense public loss of property. But the worst is, that they press hardest upon the slender resources of the poor, who must always live from hand to mouth, and must get their groceries in small quantities, and in a prepared, *alias* an adulterated state. The temptation with them is sore to buy where they can buy cheapest; and damaged

flours, diseased meats, and adulterated coffees and teas are always the most attractive, on this account, to the unsuspecting lower classes.

It will be asked, what improvement followed the exposures of adulteration in London, and whether any restrictive laws sprang from them. The effect of the course of the Lancet was immediate and considerable, but it is to be feared that it is gradually wearing out. In 1858, from analyses of certain articles in different towns, it was found that the percentage of adulterations was less. Thus in Birmingham 21 out of 55, in Manchester 25 out of 73, and in Liverpool 22 out of 84, articles examined were adulterated. This was a considerable improvement on the state of things in 1854, when the Analytical Sanitary Commission closed its labors. Many of the best dealers in London, also, corrected unsuspected abuses, and enjoyed the approval of the Lancet for their wares.

The progress of a prohibitory law was slow. The subject of the adulteration of food was brought up in Parliament in 1855, but nothing was done. It was revived in 1859, but failed in all but a restrictive clause on chiccory in coffee. Finally, in 1860, a law was passed with much difficulty. But it was so enfeebled by amendments, and the corrupt power and wealth of the accused had held such weight against it, that it is far from efficient. Its two principal clauses are, first, that it is illegal to sell any article of food or drink adulterated with *unhealthy* substances; and, secondly, that it is illegal to sell *as pure* any article of food or drink which is not pure, but adulterated. For a first offence there is a fine of £ 5; for the second offence, the name of the guilty party *may* be published. The infliction of the only effectual punishment, publication, is thus left optional with the magistrate. Besides this, it is also optional whether an officer, poor-law guardian, or other official prosecute any party, even if he knows that party to be guilty. In addition, the law is defective in not touching the morality of adulteration itself, and in not being prohibitory of even the harmless mixing of articles of food. On the 15th of December, 1860, there were five convictions of bakers for the use of alum; and they were fined £ 5 and £ 10 each. But we fear that not many more fines will be

laid. The law did not start until ten years after the Lancet began its exposures; and after all, it is lenient, and easily evaded.

In Paris, the law is severe on adulterations of every description, and on short weights. For the first offence there is a heavy fine. For the second, the convicted party has to fix a placard in his window, stating his guilt, and to leave it there at the pleasure of the court.

Dr. Hassall recommends that the retailer should protect himself by never buying any prepared articles below the cost of the raw ingredients; for many ground spices are sold at less price than the unground article. It is very easy to draw the right inference. Also, the retailer is advised to require a guaranty of purity from the manufacturer or wholesale dealer; and the latter might get his certificate from a public analyst.

In Massachusetts, we have very few restrictive laws on such subjects; and even these — as the laws relating to the weighing and stamping of bread, and the sale of milk — are a dead letter, and inoperative. When we see the difficulty of passing an effective law in England, as compared with the more positive and executive governments of the continent of Europe, we may form some idea as to the possibility of enacting prohibitory statutes against adulteration in this country, and of executing them afterward. There are few journals that have either the courage or the position and ability of the Lancet to expose these frauds; besides which, the result of such exposures can be only temporary. The best that can be done is to enlighten the public thoroughly and frequently as to what they are unconsciously suffering, through the press; and finally public opinion may take up the subject, and pass laws and enforce sufficient penalties. Until then, we fear that the defrauded consumer of adulterated foods can have as his only safeguard that insufficient maxim of jurisprudence, CAVEAT EMPTOR!

ART. II. — 1. *Annals of the American Methodist Pulpit; or Commemorative Notices of Distinguished Clergymen of the Methodist Denomination in the United States, from its Commencement to the Close of the Year Eighteen Hundred and Fifty-five. With an Historical Introduction.* By WILLIAM B. SPRAGUE, D. D. New York: Robert Carter and Brothers. 1861. 8vo. pp. 848.

2. *Journals of the* REV. FRANCIS ASBURY, *Bishop of the Methodist Episcopal Church.* New York: Carlton and Phillips. 1852. 3 vols. 12mo.

3. *Asbury and his Coadjutors.* By REV. W. C. LARRABEE. Cincinnati: Swormstedt and Poe. 1853. 2 vols. 12mo.

4. *The Rifle, Axe, and Saddlebags.* By WILLIAM HENRY MILBURN. New York: Derby and Jackson. 1857.

5. *The Life of Jacob Gruber.* By W. P. STRICKLAND. New York: Carlton and Porter. 1860. 12mo.

6. *Autobiography of Peter Cartwright, the Backwoods Preacher.* Edited by W. P. STRICKLAND. New York: Carlton and Porter. 1856. 12mo.

THAT compiling the Annals of the American Pulpit was a work eminently proper to be done, none will deny. That no fitter man than Dr. Sprague could have been selected for its performance, will be scarcely less than unanimously conceded. The volume whose title is given above is the seventh in his series. Of the previous six, two each have been devoted to Presbyterian and Congregational subjects, and one each to Baptist and Episcopalian. Still other volumes, as we learn from the publishers, are in process of preparation. The other works in our list are a few of the biographical and historical productions in which the Methodist press has been so prolific of late years, and the materials for which exist so bountifully in the experience of the living or the recently departed.

Every denomination, as represented by its ministers, has its peculiar features of interest, not only to its own members, but to the community at large. The distinguishing characteristics of the Methodist pulpit are found in the adventurous incidents of ministerial labor, the rude but effective eloquence of many

of the preachers, their fervency and zeal amid the severe toils and trials of the pioneer period, and the fact that their intellectual life, imperfect at first and heterogeneous, yet vigorous and promising, was genuinely American in its character. Education in this country, so far as the product of the schools is concerned, has been for a great part of our history European rather than American. But there is a certain mental culture in a new nation, and especially in a republic, which goes on almost independently of schools and books, and which has a certain indigenous character. It results in a quickness of apprehension, strong practical judgment, ingenuity of adaptation to circumstances, and a thorough acquaintance with human nature. Not unfrequently this culture gives a more efficient power to the subject of it, than a scholarly training could have given him; for our systems of school discipline, admirable and advantageous as they are to all who rightly use them, nevertheless impose artificial trammels on very many, and render them unpractical and incapable of popular influence. We are all aware that a large proportion of our public men, some of our most trustworthy statesmen among them, and a great majority of our successful business men, are of the class whose education has been acquired outside of the seminary and college. Many of them, it is true, have become genuine students, and have not only diligently consulted many books, but have themselves made books of permanent value. But they have become vigorous thinkers rather by the friction and discipline of active life, than by any systematic preparation for that life. The early Methodist preacher was to a large extent the offspring of this popular culture. Coming from the masses of the people, and all the while that his intellectual character was in the process of formation working among the people, he grew up thoroughly fitted to their needs, and in time became an adept in his efforts to shape their convictions and character. Of this we shall have more to say hereafter.

The beginning of the Methodist movement in America was in 1766. It occurred almost simultaneously in Maryland and in the city of New York. Philip Embury had emigrated from Ireland with several others, among them some who had previously belonged to the Methodist connection in their own

country. Embury himself had been a local preacher. The immigrants seem to have lost their interest in religion; but after a time, under the urgency of a pious woman, Embury was induced to open his house for public worship, conducting the services himself. At the first meeting six were present. They organized a class, and their numbers gradually increased till the place was too strait for them. They hired a larger room, from which they were soon obliged to remove and build a chapel.

The enterprise in Maryland had a not dissimilar commencement. Robert Strowbridge was also an Irish immigrant, and a Methodist local preacher. He began to hold meetings in his own house in Frederic County. Success attended his labors, and a society of twelve or fifteen persons was formed. Soon the log meeting-house, as it was called, was erected, and was for a long time a noted preaching-place.

Within a few subsequent years, the opening of new fields creating a demand for more laborers, missionaries were sent from England, and some thousands were gathered into societies. It must be borne in mind that these societies were not churches, nor were the preachers clergymen. Both in Great Britain and in America, there was no intention for a long time of organizing a new church, but simply a striving after a higher spiritual life in those already established. Wesley and most of his preachers belonged to the Church of England. At the close of the Revolution the Church of England, of course, ceased to exist in this country, and no ecclesiastical body was yet provided to take its place. The Methodist societies were without any organization, except in subordination to a defunct church. They had no ordained ministers, and were deprived of the ordinances of Christianity. These embarrassments were removed by the adoption, in 1784, of a plan prepared by John Wesley, organizing the Methodist Episcopal Church under the superintendence of Dr. Thomas Coke and Francis Asbury as bishops. The preachers up to this time had been principally Englishmen; but afterward the number of native preachers rapidly increased.

As we have intimated, the hardships, personal sacrifices, and perilous adventures of the pioneer preachers are among the

most striking features in the description of this ministry. These were not confined to the early history of the Church nor of the nation; for frontier life is always much the same, and as yet in this country it has never ceased. The line of civilization is still moving on into the wilderness, and the Methodist itinerant is ever in the remotest settlements, and with the van of the advancing army.

Francis Asbury, the "Pioneer Bishop," came to this country in 1771, when about twenty-six years of age. He had commenced preaching in England when but a boy, and when the call came for laborers in the New World he freely offered himself for the self-sacrificing work. When the Revolution began, his British coadjutors fled to England, but he determined to remain, though obliged to desist from preaching. The war closed and the Church organized, he found himself invested with the office of chief pastor, or bishop, of twenty thousand souls. The dignity was not such as he must have associated with the episcopal title in his early years. No one addresses him as, My Lord; he is not waited upon by crowds of dependents; but he himself becomes the servant of all, surrendering even the conveniences of life for the perilous toil of seeking through rough wildernesses after lost sheep. He will have no splendid palace, no magnificent cathedral, no snug diocese, no princely income; but, instead, he will preach in school-houses, in barns, on the stumps of trees; his lodgings will be in log huts or in the houseless forest; his diocese a whole continent, to visit which he must find his way, without roads, through almost illimitable woods, by blazed trees, over nearly inaccessible mountains, floundering through swamps, wading or swimming vast rivers, scorched by hot suns, bitten by winter frosts, drenched with pitiless rains, wellnigh smothered by driving snows, and often in divers dangers of death. His salary, — that must be left to Providence. It is sometimes a little, sometimes less, and never worth mentioning. The limit is sixty-four dollars, this not always forthcoming, and even when received frequently shared with less fortunate brethren. His sacerdotal robes are of the frontier style, and after a six months' jaunt in the wilderness are often found to be of variegated pattern, open-work, not embroidered. His

travelling equipage is not a chariot and four, but saddlebags and one.

For the first five years after his induction into the episcopal office his travels were confined to the east of the Alleghanies; but they extended from New York on the north to Georgia on the south, and he visited all the intermediate States as often as once a year, and many of them oftener. He rode on horseback from thirty to fifty miles daily, for the most part through dismal swamps, across bridgeless rivers, and in pathless forests. Sometimes he would have to swim his horse through streams full of floating ice, and then to travel twenty miles with his clothes wet to his breast. If his horse sometimes failed him through lameness or weariness, the man had no time to be weary, and pushed on alone; for he had appointments in advance all along his route. He preached somewhere nearly every day.

His sources of daily subsistence were uncertain. Cold, weary, wet, and hungry, he would call at the cabin of some settler in the wilderness, but not always to find a hospitable welcome. The family might have little for themselves, still less for a stranger. Sometimes he was refused outright, and sent miles away to some less churlish neighbor. Even then his entertainment was likely to be none of the best. His lodging in the log-loft might be all open to wind and storm. Naturally enough he was often sick. Violent headaches, sore-throat, and other diseases, were often the results of his exposure. Disturbances in his meetings were frequent. Men would come in disgracefully drunk, and in that state would offer violence to the preacher. The moral condition of the countries through which he travelled was exceedingly bad. Intemperance, profanity, and other social vices prevailed alarmingly. As early as 1786 he had crossed the Alleghanies, and, by a fearfully rugged and uncomfortable route, made his way as far as the banks of the Ohio. During his journey, whenever he fell in with any number of people, no matter how few, he proclaimed to them the word of life. Two years later he made his first visit to Tennessee. Going from North Carolina, he had to cross three ranges of mountains, without roads, without a guide, and with inhabitants only at appalling inter-

vals. It was perhaps a more toilsome and perilous journey than any previous one; but a year or two before he had sent two or three preachers to that wild and distant region, and he felt bound to go wherever his preachers and their people were.

How scantily this ecclesiastical chieftain was supplied with the necessaries of life may be seen by a few extracts from his journal, and by letters to his parents, residing in England. To the latter at one time he says: "My salary is sixty-four dollars a year. I have sold my watch and library, and would sell my shirts before you should want. I have made a reserve for you. I spend very little on my own account. My friends find me some clothing. The contents of a small saddlebags will do for me and one coat a year." Writing at a later date, he says: "I study daily what I can do without. One horse, and that sometimes borrowed, one coat, one waistcoat,—the last coat and waistcoat I used about fourteen months,—four or five shirts, and four or five books." In 1806, while attending the Western Conference, he writes: "The brethren were in want, and could not suit themselves, so I parted with my watch, my cloak, and my shirt." He was at this time the presiding officer of an organization embracing five hundred preachers and more than one hundred and thirty thousand members; himself almost without money, selling his watch and a part of his scanty wardrobe to supply the wants of those still poorer than himself.

For forty-five years he was the recognized head of the denomination in this country. He annually made the tour of the States, travelling never less than five thousand, and often more than six thousand miles a year. He usually preached once every day and three times on Sunday, making more than twenty thousand discourses in all. When he died, the societies which, on his arrival in America, he had found consisting of six or seven hundred members, with six or seven preachers, numbered two hundred thousand members, with nearly seven hundred preachers. We have dwelt upon this one personage, perhaps at disproportionate length; but he was in many respects a representative man. The severe experiences which we have described were his only in common with scores and

hundreds of his fellow-laborers; nor were they confined to the early age of the nation or of Methodism, but they continue to be the lot of pioneer preachers until this very day. Any person who will spend a few hours in some Western Conference will hear the story of like privation, toil, and suffering. We give an incident which occurred at one of these conferences scarcely more than a year ago. It is customary sometimes for the societies comprising a circuit to notify the conference, indicating what kind of a preacher they desire, usually specifying the intellectual, spiritual, or administrative qualities deemed requisite. One circuit sent in a petition for a minister, but said nothing about any characteristics as a preacher or a disciplinarian. One quality, however, he must have. "Be sure to send us a good swimmer," said the petitioners. Of course, every one was puzzled, and none more so than the Bishop. On inquiry, it turned out that the circuit was situated in a region of wide and bridgeless streams, where the itinerant in keeping his appointments would have to rely on his own powers of aquatic locomotion; in fact, one minister had been drowned on that circuit, because of his deficiency in this respect.

Of the presence of these itinerant preachers in the backwoods settlements we have already spoken. Wherever the rifle and the axe of the hardy pioneer were seen, there were also sure to appear not long afterward the saddlebags of the Methodist minister. An anecdote which we find in the sketch of Richmond Nolley well illustrates this. Mr. Nolley was one of a small band of missionaries sent out from the South Carolina Conference, about 1812, to labor in the wilds of Mississippi and Louisiana, which were then very sparsely settled, and occupied to some extent by tribes of not always friendly Indians. Mr. Nolley was a man of great energy, zeal, and courage. He was exposed to many dangers in the prosecution of his work, both from the hostile savages and the opposition of white men. But he was rigidly faithful, and omitted no opportunity of doing good to persons of any color or condition, in whatever obscure corner he could find them. On one occasion, while travelling, he came upon a fresh wagon-track, and, following it, he discovered an emigrant family, who

had just reached the spot where they intended to make their home. The man, who was putting out his team, saw at once, by the costume and bearing of the stranger, what his calling was, and exclaimed, "What! another Methodist preacher! I quit Virginia to get out of the way of them, and went into a new settlement in Georgia, where I thought I should be quite beyond their reach; but they got my wife and daughter into the church. Then, in this late purchase, Choctaw Corner, I found a piece of good land, and was sure I should have some peace of the preachers; but here is one, before my wagon is unloaded." "My friend," said Nolley, "if you go to heaven, you 'll find Methodist preachers there; and if to hell, I 'm afraid you 'll find some there; and you see how it is in this world. So you had better make terms with us, and be at peace."

The "hair-breadth 'scapes" which some of these men experienced are illustrated in the biography of Barnabas McHenry, who travelled in Tennessee and Kentucky when those States were a very wild territory. It is related that, as he was passing the night at the cabin of a friend, after the family had retired, he spent two or three hours reading at a table, by candle-light, with the door of the cabin partly open. The next night the Indians murdered the whole family, and stated that they had gone for that purpose the night before, but, finding the door open, and a light within, they supposed the inmates were prepared for an attack, and therefore postponed the execution of their plan. On another occasion, having stopped for the night at the house of his future father-in-law, Colonel Hardin, the Indians presented themselves in force, and carried off every horse on the plantation except his own, which happened to be apart from the rest. It was no unusual thing for him, in common with his co-laborers, to camp out at night in the solitude of the forests, with hostile Indians in near proximity, and the next day to preach, twenty miles farther on, to the frontier settlers, in cabins, forts, or block-houses, as the case might be. "The track, the trail, the yell of the Indian, his camp-fire and the crack of his rifle, watching by day, and sleeping under guard at night, were with these men almost ordinary occurrences."

But there were not only hardships and perils to be encountered; violent persecutions frequently occurred. In many sections of the country the people were not only destitute of religious privileges, but vice and wickedness prevailed to an alarming extent. With all public and private immoralities the resolute itinerants were apt to come in contact, and they were not likely to compromise with sin of any sort. Naturally enough, they experienced some fierce opposition. Freeborn Garrettson, one of the most prominent and successful of the first generation of Methodist preachers, was subject to a great deal of this severe treatment. He was often assaulted, and several times brought before magistrates on some pretended charge of disloyalty. On one of these occasions he was beaten with a large stick over the head and shoulders, and nearly killed. But he soon began to recover, and before he could walk an officer was called, who, instead of ordering the arrest of his adversary, began to make out a mittimus to send Mr. Garrettson to jail. But his reproof of the officer for his wickedness was so powerful, that the latter dropped his pen and promised not to molest him further. The same evening, sitting in a chair, he preached to a congregation gathered at a dwelling-house in the neighborhood, from the words, "In the world ye shall have tribulation; but be of good courage, I have overcome the world." At another time when he was preaching, a mob had gathered in the vicinity, and sent one of their number to give them information of the fittest opportunity to take him. But the heart of the poor spy was touched, and he returned at the close of the service to tell his associates that Mr. Garrettson had preached the truth, and that, if they ventured to lay a hand upon him, he would put the law in force against them. At one time he was seized while preaching by about twenty persons, one of whom presented a pistol at his breast. He was hurried away to prison, "where he had a dirty floor for his bed, his saddlebags for a pillow, while a cold east-wind blew directly upon him." His friends were aroused in his behalf, and by the influence of Mr. Asbury with the Governor of Maryland he was at length set at liberty. Many such incidents occurred in his career, and he was by no means a solitary example.

The early preachers in the slaveholding regions, accustomed as they were to apply the Christian rule somewhat straitly, and being, so far as the Bible was concerned, "strict constructionists," naturally provoked hostility among their hearers. It was, however, only somewhat later that they began to suffer the consequences of the quarrel of slaveholders with their aroused consciences. Jacob Gruber, of whom we shall speak again as a somewhat eccentric and witty character, was also a most sincere and faithful preacher. At a camp-meeting where he officiated, he spoke very plainly against the sin of slaveholding. He was arrested and brought to trial. It was at this trial that our present Chief Justice, Mr. Taney, appeared as counsel for the defendant, and uttered sentiments which have often since been quoted in the great controversy in our land. He spoke of slavery as "a blot on our national character," and one that every real lover of freedom confidently hoped would be effectually, though gradually, wiped away. "And," said he, "until the time shall come when we can point without a blush to the language of the Declaration of Independence, every friend of humanity will seek to lighten the galling chain of slavery, and better, to the utmost of his power, the wretched condition of the slave."* He defended the freedom of speech and of the pulpit in an eloquent manner, and set forth the petty malignity which had prompted the prosecution. Mr. Gruber was readily acquitted by the jury, but was subjected to an onerous expense, and greatly interrupted in his labor. This was forty-three years ago. Ministers in slaveholding sections since that time have grown more quiescent; yet even now, in some parts of the country, trouble on this score has not ceased, and within a year or two, before the outbreak of the present conflict, several preachers have suffered death by Lynch law in the Southwest, on the mere suspicion of anti-slavery.

One is struck with surprise at the scanty pittance with which these preachers managed to supply their necessities. It is true their expenses were not very great, yet they must have clothes and horses, with the needful travelling apparatus;

* Strickland's Life of Jacob Gruber.

and there were exigencies out of which it would require even more than Yankee skill to emerge without the aid of money. As for daily sustenance, both for man and beast, that could usually be obtained without payment among the people. Some of the ministers inherited property, and thus had something to fall back on. Most of them, for several years after the beginning of their ministry, remained unmarried. A large proportion who did marry were obliged to locate. Many of these spent a few years in the securing of a farm and home for their families, and then returned eagerly to the work. Quite a considerable number followed the example of St. Paul, and, though allowing that it was right for others to marry, deemed it inexpedient for themselves. For a long period it was almost out of the question to be an itinerant preacher and support a family, unless property had been secured from other sources. These sacrifices were cheerfully borne, but they were sacrifices nevertheless.

Among the reminiscences of Rev. George Roberts, who was a native of Maryland, but one of the early itinerants in New England, it is related that during a period of five years he never received over forty dollars per annum, including the scanty dividends from certain trust-funds at the disposal of the Conference. On one occasion when he arrived at the seat of the Conference, Bishop Asbury pushed the rather gaunt saddlebags of Roberts with his cane, and said, "George, where are your clothes?" "On my back, Bishop," said George. "When I get my appointment at your hand, sir, I shall not have to return to my circuit for my clothes, but am ready at a moment's warning to go whithersoever you direct."

Elijah R. Sabine, of whom a sketch is communicated for Dr. Sprague's volume, by his son, Hon. Lorenzo Sabine, was a member of the New England Conference at a time when it embraced nearly all the territory indicated by its name. Though a man of small advantages in early life, never attending school after he was eight years old, by the diligent use of such scanty opportunities as he had, he became a man of respectable culture and a prominent preacher. His second circuit was in the northern part of New Hampshire, and in such

an unexplored region that it was some time after receiving his appointment before he could find any one to direct him where he might find it. Among his hardships are mentioned those of journeying for an entire day without food, and of sleeping in the forest, with his horse tied to a tree, and his own head resting on his saddlebags. The severities of his experience impaired his health, so that he was obliged for a time to desist from travelling. Regaining his health, and having married in the mean time, he was appointed a Presiding Elder over a large part of the State of Vermont. It was a renewal of the old toil. Other difficulties too presented themselves. Though occupying a high ecclesiastical office, his receipts for the year amounted to scarcely more than fifty dollars; this, too, when he had a wife and two children to support. Happily for them, his father-in-law took them upon his rough mountain farm.

The average of the preachers' salaries, as reported at one of these Conferences, amounted to forty-eight dollars for one year, and for another to sixty-two, for single preachers, and from seventy-five to one hundred and twenty dollars for married men. "One minister, who travelled more than three thousand miles on horseback, received just one dollar and four cents, and again five dollars and thirty-three cents more than his expenses." These were the earliest times, it must be remembered. Those preachers who came later found a more remunerative field, though never as yet reckoned greatly lucrative anywhere.

We intended to dwell somewhat upon the extensive usefulness of some of these men, and the extraordinary results of their labors. But our limited space will permit only a bare allusion to this feature. There is the less need of dwelling on it, as a ready inference will be drawn from other general facts exhibited. The growth of the denomination within fourscore years to be the largest in the country, would perhaps sufficiently indicate all that we might wish to say, though it would be exceedingly interesting to trace individual examples of success. It is not wonderful that great effects followed the efforts of such men as we have described and are about to describe. The consequences will appear still more natural, when we reflect that their mission was chiefly to desti-

tute populations, of whom, though some were indifferent and others hostile, not a few were eager for religious instruction. In the more settled regions of the country their appeal was to the poor, and to those who for one cause or another stood aloof from existing religious organizations, or were disaffected toward them, or to such as found their wants better met in the more simple, spiritual, and practical doctrines presented. But there were some among these preachers of equally eminent gifts and indefatigable zeal, like Valentine Cook, in Virginia; John Kobler, one of the first to publish the Gospel in the wilds of Ohio; Thomas Branch, whose last sickness and death occurred in a region of such utter loneliness, that his friends did not learn for many years of his place of burial, but who, when too feeble to leave his bed, still held meetings which resulted in the establishment of a church in the place and a great religious influence in all the region; Jesse Walker, who "took St. Louis," then an exceedingly wicked city, and for a long time impervious even to his powerful assaults; Jesse Lee, Joseph Lybrand, and John Brodhead, and so many others that time would fail us to mention them.

Amid all the trials, self-denials, and hardships, notwithstanding the solemn mission in which they were engaged, and the almost terrible earnestness with which they exhorted men to "flee from the wrath to come," there was nevertheless a spirit of hearty good-nature, of genuine cheerfulness, clearly discernible. The wit and humor of Methodist preachers is proverbial, and it is hardly expected to find a company of them together without a considerable exhibition of these qualities. The very character of their adventures, and the severity of their toils, would, in their reactionary influence, tend to inspire this disposition; and then their religious convictions were of that happy, confident kind which implies a right to all the really good things furnished by Providence. Many are the cases in point which we find in the volumes before us and elsewhere.

Jacob Gruber, of whom we have before spoken, was of German descent, though born in this country. His wit was of a satirical character, and not particularly palatable to the objects of it. He was a devoted, laborious, and successful minister,

and possessed much influence both with the ministry and the laity. But he had a great contempt for "new-fangled notions," worldly fashions, and for all artificiality and pretension, — frequently almost outraging propriety in rebuking them. He was particularly severe on ministers who were more conspicuous by their elegance, learning, and worldly ambition, than by their zeal or success in saving souls. The following we find in a biography of Mr. Gruber by Dr. Strickland. He was at a camp-meeting not far from Washington City, and, a great number of the clergy being present, he took the occasion to give them a few hints. He chose for his subject the conversion of Saul. The following is the introduction.

"A great many years ago a bold blasphemer was smitten by conviction, when on his way to Damascus to persecute the Christians. He was taken to Damascus in great distress. Ananias, after hearing of the concern of mind under which Saul was laboring, started out to find him. It seems he was stopping at the house of a gentleman by the name of Judas, not Judas Iscariot, for that person had been dead several years. The residence of this gentleman was in the street which was called Strait. I suppose it was the main street, or Broadway, of the city, and hence it was not difficult to find. Arriving at the mansion, he rang the bell, and soon a servant made her appearance. He addressed her thus: 'Is the gentleman of the house, Mr. Judas, within?' 'Yes sir,' responded the servant, 'he is at home.' Taking out a glazed card, on which was printed, 'Rev. Mr. Ananias,' he handed it to the servant, and said, 'Take this card to him quickly.' Taking a seat, with his hat, cane, and gloves in his left hand, his right being employed in arranging his classical curls, so as to present as much of an intellectual air as possible, he awaited an answer. Presently Mr. Judas made his appearance, whereupon Mr. Ananias rises, and, making a graceful bow, says, 'Have I the honor to address Mr. Judas?' 'That is my name, sir; please be seated.' 'I have called, Mr. Judas, to inquire if a gentleman by the name of Mr. Saul, a legate of the high-priest at Jerusalem, is a guest at your house?' 'Yes sir; Mr. Saul is in his chamber, in very great distress and trouble of mind. He was brought here yesterday, having fallen from his horse a few miles from the city, on the Jerusalem road.' 'O, I am very sorry to hear of so painful an accident. I hope he is not dangerously wounded.' 'No sir, I think not, though the fall has affected his sight very much, and he complains considerable and prays a good deal.' 'Well, I am very sorry; but that is

not very strange, as I believe he belongs to that sect of the Jews called Pharisees, who make much of praying. How long since he received this fall, Mr. Judas?' 'About three days since, and all the time he has not taken any refreshment or rest.' 'Indeed! you don't say so! he must be seriously hurt. May I be permitted to see Mr. Saul?' 'I will ascertain his pleasure, Mr. Ananias, and let you know if you can have an interview.' After being gone a short time, Mr. Judas returns and says, 'Mr. Saul will be much pleased to see you.' When he is ushered into his presence, Saul is reclining on a couch in a room partially darkened. Approaching him, Ananias says, 'How do you do, Mr. Saul? I understood you had done our city the honor of a visit. Hope you had a pleasant journey. How did you leave all the friends at Jerusalem? How did you leave the high-priest? We have very fine weather, Mr. Saul. I thought I would call and pay my respects to you, as I was anxious to have some conversation with you on theological subjects. I am extremely sorry to hear of the accident that happened to you in visiting our city, and hope you will soon recover from your indisposition.'"

All this and more he is said to have delivered in his German style, acting it out in a manner so ludicrous that the audience could scarcely repress their laughter.* Sometimes his indignation carried him to an almost sacrilegious extreme. In the time of the last war with Great Britain, being called on to offer prayer on some public occasion, he said: "O Lord, have mercy on the sovereigns of Europe, — convert their souls, — give them short lives and happy deaths, — take them to heaven, and let us have no more of them."

Sometimes the biter was bitten. While residing at Lewiston he used to come in frequent contact with the Catholic priest, who was not much behind him in the use of edged tools. Meeting the priest one day, not as usual on horseback, but trudging on foot, Gruber said: "Where 's your horse? Why don't you ride?" "O," said the other, "the beast is

* A young preacher, desirous of improving his style as a pulpit orator, and having great confidence in Gruber, at that time his presiding elder, wrote to him for advice. The young man had contracted the bad habit of prolonging his words, especially when excited. Deeming this a principal defect, Gruber wrote him as follows: —

"Dear-ah Brother-ah, — When-ah you-ah go-ah to-ah preach-ah, take-ah care-ah you-ah don't-ah say-ah Ah-ah! Yours-ah,

"Jacob-ah Gruber-ah."

dead." "Dead? Well I suppose he is in purgatory." "Nay, the wretched creature turned Methodist just before he died, and went straight to hell!"

Hope Hull was one of the pioneers of the denomination in Georgia, and his fame was very extensive in that section. He was not at all a facetious man, but his wonderful penetration into character, together with his honest directness in dealing with souls, sometimes gave to his language all the appositeness of genuine wit. On one occasion, while a circuit missionary, after preaching he met the class, or members of the society, and spoke with them, as is customary, respecting their religious experience. After going through with the members, he turned to an elderly man sitting apart, and inquired after his spiritual state. The old gentleman, after some hesitation, replied: "I am like old Paul, — when I would do good, evil is present with me." To which Mr. Hull answered: "I 'm afraid you are like old Noah too, — get drunk sometimes!" He was a perfect stranger to him, but it was a centre shot; for the poor old man was a drunkard.

Billy Hibbard was one of the most eccentric of characters, but withal a most agreeable person, and a man of unbounded and universal good-will. Of large general information, with an ease of manner which made him equally at home in the highest and in the lowest circles, his remarkable powers of conversation and exuberant yet sensible pleasantry, together with his enterprising religious zeal, made him wonderfully popular and successful in his calling. No man was ever a heartier Arminian than he, and the "Five Points" of Calvinism were almost always sure to receive a blow somewhere in his sermon, no matter what the theme or the text. Yet he was always on the most intimate terms with the preachers of the antagonistic theology. "Brother Hibbard," said a good Presbyterian friend, "you hurt my feelings yesterday." "Why, how, Brother, did I do that?" He referred him to some doctrinal remark in the discourse. "O," said Hibbard, "I 'm sorry you took that, — I meant that for the Devil, and you have stepped in and taken the blow. Don't get between me and the Devil, Brother, and then you won't get hurt."

On one occasion he had a newspaper controversy on some theological topic with Dr. Lyman Beecher, the disputants being personally strangers. Not long after, while journeying on horseback in Connecticut, the two met. Mr. Beecher suspected his companion to be a preacher, but could not draw out the fact by any indirect conversation, till he asked him plumply, "Are you not a minister of the Gospel?" "I am," said Hibbard. "Do you belong to the standing order?" "No, I belong to the kneeling order." So characteristic a reply unmistakably indicated Billy Hibbard to the shrewd mind of his interlocutor, and he at once introduced himself. The acquaintance thus begun was an amicable one.

His ready wit seldom failed him. Once, when the roll-call of the Conference gave his name as William, he arose and objected to answering to that name, insisting that his name was Billy. "Why, Brother Hibbard," said Bishop Asbury, "Billy is a little boy's name." "Yes, Bishop," he replied, "and I was a little boy when my father gave it to me."

This quality in these pioneer preachers was by no means a rare one, and it sometimes became a most effective weapon, whether in silencing an antagonist, repulsing a caviller, or giving zest to social intercourse. Of Jesse Lee, the early apostle of Methodism in New England, it is related that one day, while travelling on horseback, he fell in with two lawyers, who, taking a place on each side of him, began to quiz him. They asked if he was a man of liberal education. "Sufficient," he said, "to get about the country." They inquired if he wrote his sermons. He replied in the negative. "But do you not sometimes make mistakes, for instance, in quoting Scripture?" "Perhaps so, sometimes, but not often." "When you find you have made a mistake, do you correct it?" "Not always; if it involves nothing essential, I let it pass. The other day I tried to repeat the passage where it says the Devil 'is a liar, and the father of them'; I got it, 'The Devil is a lawyer, and the father of them'; but I hardly thought it necessary to rectify so unimportant an error." By this time one of the young sprigs was prompted to remark to the other, that he hardly knew whether the fellow was a knave or a fool. Lee glanced meaningly on either hand, and replied, "Perhaps

between the two." The young gentlemen by this time concluded to leave the itinerant to his own meditations.*

The intellectual character of many of these men is a thoroughly interesting study. The early educational advantages of the first generation or two were next to nothing at all, as is very well understood. Graduates as they facetiously termed themselves of "Brush College" or "Swamp University," that many of them became men of marked intellectual power is a fact that may be affirmed of them in common with other classes of our countrymen, who have been well educated, but not in the schools. In the words of the venerable Judge McLean, who by the way contributes a large number of valuable sketches to Dr. Sprague's volume: —

"It is matter of astonishment to many who have become intimately acquainted with Methodist preachers who have travelled frontier circuits, where books were scarce, and the preaching-places remote from each other, how they could have made such progress as they actually have done in useful knowledge. One secret of it no doubt is, that they have been diligent students of the book of nature, which is always open to inquisitive minds. I am afraid we sometimes lose much in exchanging a rugged thought for the flippancy of a college phrase."

The remark, though not novel, is none the less true; yet there are other facts to be taken in connection with it. A very large proportion of these men commenced their public labors early in life, frequently before they were twenty years of age. Few of them had ever looked forward to the vocation of a preacher more than six months before they found themselves engaged in the work. Awakened to a sense of their religious wants, sometimes from a state of utter indifference, or even in a course of abandoned wickedness; experiencing a wonderful change in their views of life, their relations to God, and their inward experience; seized with an intense desire to induce in others the same joyous life upon which they had themselves entered, — they began by quiet efforts at personal influence, by simple exhortations in social meetings, and so gradually, almost without intention of their own, they went on to exhorting in a large field, till they found themselves

* "Asbury and his Coadjutors." The volume is not at hand, and we quote from memory, but have substantially followed the narrative.

possessed of the ability which, encouraged by spiritual advisers, they did not feel at liberty to leave unemployed. It will be readily seen, that a mind which, while kept free from fanaticism, should be pervaded by a healthy religious consciousness, and burning with a desire for usefulness, would be roused to vigorous activity, and would thus come into the fittest condition for the reception of all kinds of truth, and the natural development of all its powers. Then the circumstances into which the young itinerant was necessarily thrown — the taking of important responsibilities, being brought into peculiar exigencies, compelled to think rapidly, to decide summarily, and to exercise all possible ingenuity — were decidedly the best school for the strengthening of the judgment and the attainment of all the highest mental qualities. Then, as Judge McLean remarks, the book of nature was more intimately present with him than with the inmate of the cloister. He read from its open pages, in the original language, a language which he was compelled to learn, and in which he discerned many a fresh fact that he would have sought in vain in the bookish translations. In his keen encounters with men, he had learned ten thousand things which are hidden from ordinary eyes. There was likely, too, to be nurtured by this hardy discipline a healthy body, a well-developed muscular frame, with large, strong lungs, a vigorous circulation, and no uncomfortable consciousness of a "nervous system," — in fine, the most suitable dwelling-place and workshop for a mind of substantial vigor and wisdom.

We recollect very well hearing one of the bishops at a Methodist Conference a few years ago, in addressing the candidates for ordination, relate the incident of a young man who commenced preaching in one of the Middle States. He was on a large circuit, under the superintendence of an older preacher. The latter, as in duty bound, in his travels about the circuit, inquired after the welfare and reputation of his colleague among the societies. He heard a good report of the piety, self-devotion, zeal, and hortatory eloquence of the young preacher. But one member ventured to suggest to the elder, that they were a little puzzled at the fact which they had ascertained, that that young man always read the same Scripture

lesson at family prayers. The elder candidly spoke with his junior brother on the subject, and delicately inquired the reason. The young man burst into tears, and confessed that *that* was the only chapter which he had learned to read well enough to read before others, though he was diligently studying the Bible. He continued to study the Bible and other sources of knowledge as he had opportunity, and grew in mental as in spiritual stature. He has since been among the most gifted ministers of his denomination, and at the time when the bishop related the anecdote was filling one of the most important city appointments in the country, — a man not unknown to fame.

There are numerous instances in Dr. Sprague's volume which strikingly illustrate this principle of self-help, — so many that our chief difficulty is in making a selection. One of the most prominent examples among the New England preachers is that of Orange Scott, who with a lofty religious ambition combined that spirit of enterprise not uncommon among our young men. His parents were poor, hard-working people. His advantages in youth were exceedingly limited. His whole schooling amounted to only about thirteen months, and this probably of not the most profitable kind. His religious opportunities were scarcely even as good as his literary. He stayed away from the house of worship altogether, for want of decent apparel. But though his ideas were at the best vague and confused, his conscience was sometimes active, and the conviction of his bad moral condition often filled him with gloomy apprehensions as to the future. At length, one day in solitude, his relations to God and eternity presented themselves with such appalling distinctness, that he determined to make religion thenceforth his chief concern, and not to rest till he found satisfactory evidence of a right position.

He was scarcely more than twenty years of age when, his natural powers of exhortation being evident to his religious friends, he was persuaded to receive a license, and was soon engaged in preaching. His appearance at first, we have reason to believe, was exceedingly awkward, yet there was clearly much talent under the rough exterior, and this gradually developed itself. He had a strong mind, quick perceptive facul-

ties, a laborious disposition, and a great ambition to learn. He rapidly improved. He became one of the most effective preachers in the denomination. He was a man of strong physical frame, of excellent vocal powers, of great common-sense, and much influence among the masses, over whom he was peculiarly fitted for chieftainship. "I have heard him preach at camp-meetings," says Dr. Stevens, "with almost superhuman power, — his noble voice sending its trumpet-blasts afar through the forests, and the multitudes of hearers waving under its spell like trees under the gale." He was a skilful debater, and his influence in the General Conference, of which he was several times a member, was very great. Without much mental discipline, he was a diligent student, and became a writer of no mean ability. He was for some time the editor of a denominational paper, and published several works of considerable value. In the anti-slavery agitation he was conspicuous and influential, and was a prime mover in a secession from the Church in 1842, (occasioned chiefly by the slavery controversy,) which resulted in the organization of the Wesleyan Methodist Connection. He died in 1847, in the forty-eighth year of his age.

Equally noticeable is the career of Martin Ruter, a native of Worcester County, Massachusetts. With only the ordinary advantages of a common-school education, his natural appetite for knowledge led him to persist in its acquisition, though under many difficulties. His religious tastes and convictions brought him into the Methodist ministry when scarcely more than fifteen years old. His first circuits were of the roughest and most laborious kind, so that one wonders how anybody could ever have thought of systematic study in connection with toils and privations which were in themselves hardly credible. But study he did, and that too in a most successful manner, quickly giving evidence of uncommon attainments and mental power. Before he was thirty-three he was honored with the degree of Master of Arts, and at thirty-five with that of Doctor of Divinity. He was President of Augusta College in Kentucky, and afterward of Alleghany College in Pennsylvania, which latter position he left to take the superintendence of the ecclesiastical mission in Texas, a work of great

importance. His excessive labors there induced a disease of which he died while yet far from being an old man. He had written nearly a dozen different volumes, some of them works of much merit.

Still more remarkable is the story of the life of Henry B. Bascom, late a bishop in the Methodist Episcopal Church South, of whom we shall have more to say in another connection. Doubtless the eulogy on Dr. Bascom by his enthusiastic friend, Mr. Milburn, in "The Rifle, Axe, and Saddlebags," is both highly poetical and somewhat extravagant; yet the facts justify a pretty animated encomium. Mr. Milburn declares that Bascom "had never received three months' schooling in his life." We have reason to consider this a mistake; but his opportunities certainly cannot have been great, and we find him while yet in his teens riding some of the wildest circuits in Western Virginia, Ohio, and Kentucky. How a man could become a strong thinker and a mighty preacher while ranging through those vast solitudes, sleeping many a night in the forest, or lodging in log-huts where a single apartment contained the parents, with their offspring of from ten to fifteen souls, — or bodies at any rate, — with such domestic animals as are likely to share in all the immunities of a backwoodsman's fireside, — is not so very strange; but that a man should undertake a scholastic course of study, should essay Greek, Latin, Hebrew, mathematics, natural science, is beyond our comprehension. Yet we are told that Mr. Bascom did all this, and persevered in it till he became a classical scholar and man of learning. At least there is no disputing that he became one of the very strongest men in his own Church, and one of the most powerful preachers in the country.

Several of the earlier bishops — Dr. Bascom's bishopric was of very recent date — were men whose intellectual character was formed in the same school, and after much the same method. Young men engaged in agricultural or mechanical pursuits, with the scanty educational advantages of a newly-settled country, called suddenly into a solemnly responsible work, and feeling the importance of putting all their possible force into that work, they assiduously cultivated their minds by such reading as they could get, by careful observation, by deep

reflection and systematic thought, while on their lonely journeys, till, almost without suspecting it, they had become men of really great minds, some of them kings in the realms of thought. It might be interesting, would our limits permit, to trace the lives of McKendree, Roberts, and Hedding; and yet, as illustrations of the ability which some men have to help themselves to an education, it would be little more than a repetition of the story so often told.

Our article would be quite incomplete without some allusion to the eloquence of this department of the American pulpit. It is very generally admitted that the best features of what is properly called *popular* oratory are nowhere more amply exhibited than here. Many of the early preachers, be it remembered, began as mere *talkers* on a subject which seemed to them of intense importance. They had no thought of becoming orators, or even speech-makers. Yet the simplicity and zeal with which they exhorted, by continual practice, made many of them, if not orators, yet powerful and effective preachers. They had not much to say about "moral beauty," "necessary relations," "philosophical demonstrations," "*a priori* and *a posteriori* arguments"; or of "being saved on general principles," of "volition," "moral obligation," or "intellectual processes and active powers." They were apt to tell people pretty plumply that they were sinners, and used to paint their pictures sometimes in not very flattering colors, and to set forth their danger in such wise as often to make the flesh to creep; and then, turning round, would present the great remedy, and tenderly urge upon them the love of the Saviour, and the freedom of his grace to all on the same condition.

Of those who might be properly called eloquent, few were trained rhetoricians. They had all the good qualities which we attribute to stump-speaking in its best estate, — the freedom, directness, complete self-command, as well as complete command of the audience, — with as little of vulgar trickery and coarse feeling as we should expect from the nature of the vocation and other circumstances. Untrammelled with any manuscript, looking their auditors right in the face, never ready to fire, as they sometimes expressed it, "till they could see the white of the hearers' eyes," always preferring the broad open

day to the lamp-illumined evening, and hating "the dim, religious light" worst of all, as being less religious because more dim, many of these preachers produced wonderful effects by their utterances, and some of them were men whose eloquence has scarcely been surpassed by trained or untrained orators, ancient or modern. They realized what Henry Rogers gives as a brief definition of the truest style of eloquence, — "practical reasoning, animated by strong emotion"; or, as he more fully describes it, "reasoning on topics calculated to inspire a common interest, expressed in the language of ordinary life, and in that brief, rapid, familiar style which natural emotion ever assumes."

In speaking of the individual examples of eloquence furnished by the Methodist pulpit, we wish to discriminate between those whose oratory was the product of nature, and those whose native powers were aided by culture. To be sure, no such exact classification can be made; for eloquence will not exist in any remarkable degree, however great the natural predisposition, without some culture; nor, on the other hand, is it possible to devise rules of art, the following of which will certainly make a man an orator. *Orator fit*, probably enough; but there must be oratorical material to start with.

Bishop McKendree, we are informed in the graceful sketch by Judge McLean, was in the highest sense an eloquent man.

"With great simplicity and grace of delivery he united a force and beauty of illustration that approached nearer to the Sermon on the Mount than I ever heard from any one else. A child could understand him, and at the same time he commanded the profoundest attention of the learned. What he said was always so appropriate to the subject, and was uttered with so much ease and grace, that every hearer was ready to conclude that he could himself say the same thing. And yet no one could imitate his manner, — could imitate the persuasiveness and beautiful simplicity with which he set forth the truths of the Gospel. . . . . When roused by his subject, his mind expanded, and seemed to possess an inspiration almost without limit. His metaphors, when he indulged in them, were always chaste, but they came in their divinest forms at his bidding. Heaven, earth, and hell were the instruments of his eloquence. On one occasion, while preaching to many thousands at a camp-meeting in Ohio, he was describing the miseries of the lost, a strain in which he seldom indulged. But so appalling was his descrip-

tion that the whole congregation involuntarily rose from their seats, with eyes fixed on the preacher, and with a ghastly paleness of countenance that betokened absolute consternation. Observing the overwhelming effect, he paused a moment, and then, with a loud but soothing tone of voice, thanked God that his hearers were not in the world of woe; and a shout instantly went up from the multitude, which must have been heard at a great distance. It was the involuntary shout of deliverance." — *Annals*, p. 171.

We had designed to give some description of Bishop George, and had marked a specimen illustrative of his pulpit power; but are compelled to omit it.

John Collins, of the Ohio Conference, who is also sketched by Judge McLean, was for about fifty years a preacher and a man of vast influence in the connection. He might not perhaps have been termed eloquent in the strictest sense of that term; yet it was the remark of men of the most enlarged experience and observation, "We have heard greater preachers than Mr. Collins, but we never heard one we liked so well." His chief and perpetual theme was love, — love to God and man.

"Those who knew him, in going to hear him expected a feast, and they were seldom disappointed. His mind not unfrequently became full of the inspiration of his subject, and on such occasions he rose to a height of impressive eloquence rarely surpassed. These efforts were never premeditated. They were of a character which neither study nor mere ingenuity could ever attain. They were at once so spiritual and lofty as to seem to have no connection with mere material things."

His appearance was so impressive as at once to excite an immediate interest. His voice was rather weak, but its intonations were soft, sweet, and touching. "It was what we readily conceive as perfection in utterance, though it may not be so easy to describe it." His gestures were few and unstudied. In the sketch before us there is an account, by an Eastern traveller, of a discourse once heard from Mr. Collins on the parable of the Prodigal Son. We have not room for the entire narrative, and we fear the effect of an attempt at condensation; but a passage or two may help the conception. He illustrated the love of the Heavenly Father by the love of earthly parents for their offspring, even when disobedient, and

unfilial, and by the joy with which the penitent child is received. The tenderness and pathos with which this was done affected the audience wonderfully, and the writer remarks, it put him on an involuntary review of his early life, to recall any unkind word, action, or look toward his parents. "I felt an assurance," he says, "that those around me were similarly employed." Then the preacher told a story of a poor widow's child lost in the wilderness, of which he himself was cognizant, having accompanied the mother in search of the little one, while scores of others were scattered on the same business. The details were given with a circumstantiality of thrilling interest, though the speaker seemed quite unconscious of any attempt at the oratorical effect which his method of telling the story was sure to produce. The extensive prairie, the dark night, the lanterns and torches, the tin horns, the cold rain beginning to fall, the beasts of prey, the almost hopeless task at first, the almost abandonment after many hours' search by all but the agonized mother, the repeated effort, the faint sound of the distant horn echoed by others proclaiming to the mother that her child is found, — were all pictured to the ear better than the most skilful painter could have done it to the eye. "It was too much. The whole assembly burst into a flood of tears. Some sobbed outright, and attempted in vain to conceal their emotions." "In fine," says the same writer, "I have come to the conclusion that the British Spy only dreamed of a pulpit orator, — that it was left for me to behold one."

A remarkable preacher was James Russell, of the South Carolina Conference. Left an orphan at an early age, of an obscure family, the poor, friendless, ignorant boy became interested in religion when about sixteen years of age, and realized the mighty impulse, intellectual as well as moral, which a genuine Christian experience usually communicates. He soon gave proof in the social meetings of extraordinary powers as a speaker. Yet his first application for a license was rejected for want of qualification. And no wonder; for we learn that, when afterward the license was reluctantly granted, he could scarcely read or spell. On his first circuit he carried a spelling-book with him, and studied his Bible by

aid of the dictionary. With an indomitable courage, he determined to succeed, and was not ashamed to ask even the boys of the families where he lodged for help in his studies. He mastered his early difficulties, and advanced with a steady, swift pace in learning. His command of language became wonderful; his taste was purified; his intellect was trained; his stores of information were large and completely at his command; and comparatively early in life he stood foremost among the great lights of the Southern pulpit. There is a fine description of his oratorical character by Dr. Olin, in the Annals, from which we must content ourselves with quoting a very few passages.

"A leading excellency of his preaching consisted in his peculiar felicity of expression. His style was always adapted to the genius of his congregation. Not that he was such a master of language as to be able to rise and fall with the ever-varying intellectual standard of his auditory; but whilst his choice of words and structure of sentences were seldom displeasing to a cultivated ear, they were always level to the capacities of plain, unlettered men. His rhetoric, as well as his logic, was that of common sense and common life. For both he was much indebted to books. Reading had disciplined his mind and purified his taste; but it had left no other vestiges on his public performances. The rich treasures he gathered from various quarters were all subjected to the crucible. . . . . Nothing could exceed the simplicity and efficiency of his rhetorical machinery. His manner was to conduct his hearers into scenes with which they were daily conversant, and then to point out the analogy which existed between the point he would establish and the objects before them. His comparisons were derived not only from rural and pastoral scenes, whence the poets gather their flowers, but from all the common arts of life, from the processes and utensils of the kitchen, and the employments of housewifery and husbandry. The aptness and force of his metaphors always atoned for their occasional meanness; and it was apparent to all, that they were dictated by a shrewd acquaintance with the human heart. Their effect on the congregation was often like successive shocks of electricity. I once heard him preach upon the Opening of the Books at the final judgment, when he presented the records of human iniquity in a light so clear and overwhelming, that the thousands who were listening to him started back and turned pale, as if the appalling vision had actually burst upon their view." — pp. 412, 413.

One prominent quality of many of these preachers was their

readiness in any emergency. Some of them could be called at five minutes' notice, the subject furnished by the immediate occasion, and the result would be the most wonderful imaginable. George Dougherty, of South Carolina, was one of this class. We should be glad had we space to give a full portrait of his character. An instance is given of his skill as an impromptu speaker. It was at a camp-meeting, where, as used sometimes to be the case, a great many disorderly persons had come and occupied the adjacent forest, to the great annoyance of the worshippers. They drank, shouted, cursed, and fought, and perpetrated other enormities of an outrageous character. There was no especial legal protection for those holding the meeting, and matters had to be managed by the ingenuity of the ministers. On the Sabbath of the meeting referred to, these lawless fellows having been reinforced during a sermon of a somewhat exciting character, "they broke forth from every shady grove and from every point of the compass, and came thundering into the camp with the tramp of a herd of buffaloes, thus producing a scene of the utmost confusion and tumult." With some difficulty quiet was partially restored; the first sermon, meanwhile, being concluded, was about to be followed by another. The time and circumstances seemed to the managers of the meeting to call for Dougherty, and he promptly responded to the call. Waiving the introductory service, he proceeded directly to the sermon. He took for his text: "And the herd ran violently down a steep place into the lake, and were choked." After some striking preliminary remarks, he divided his subject in the order of thought suggested by the text: "First, the herd into which the devils enter; secondly, the drivers employed; and, thirdly, the market they are going to."

"And then commenced his *exposé* of the infernal entrances into men, and the agencies employed, under the figure of drivers, in the establishment of brothels, drinking-saloons, gambling-stalls, and other similar auxiliaries to ruin. . . . . It was pertinent, awful, loving, scathing, and unique. It was the attack of a master mind in a last resort, and was entirely successful. He swept along his pathway, like a blazing comet, drawing such lifelike pictures of vice and diabolical intrigue that the miserable creatures before him seemed spell-bound.

. . . . . When he reached his imaginary market with them, the end of an abandoned life, . . . . . the picture took on such an appalling hue that an involuntary shudder evidently came over the audience, — you seemed to see them in successive columns disappearing from mortal view, and sinking into the everlasting abyss. The most stout-hearted sinners present seemed to be overwhelmed with amazement, — and as the preacher began to draw in his lines upon them, to see if anything had been accomplished, they left in wild confusion, and were soon *en route* for home." — *Annals*, p. 295.

Leaving the class of those who may with propriety be called natural orators, we must refer briefly to a few out of many of those whose original power had been rendered more efficient and noticeable by culture and the appliances of art. Among those whose fame was very brilliant twenty or thirty years ago, and whom thousands now remember with great admiration, are the names of Summerfield, Maffit, and Cookman. They were all of foreign birth; still the fact that to some extent they received their development and acquired their reputation here demands for them a passing notice among the celebrities of the American pulpit.

John Summerfield came to this country from England, in 1821, when about twenty-three years of age. He had commenced preaching when scarcely nineteen, and had met with marked success. Almost immediately on his arrival in New York, he was invited to speak at the Anniversary of the American Bible Society, and his address before an immense audience was regarded by competent judges as one of the highest efforts of platform eloquence. It was not long before his popularity became so great, that any place in which it was known that he was to speak would be thronged long before the hour of service, and in more than one instance the avenues to the pulpit were so closed up that he was obliged to enter through a window. In his personal appearance there was everything engaging and attractive. He had a good figure, rather slight, and little below the medium stature. "His face was pre-eminently a speaking one; it seemed like the play of sunbeams, as it brightened under his intense and varied emotions." His delivery was perfectly simple and natural, his tones instinct with melody, his gesture the result of the workings of the

spirit within, and nothing else. He had a wonderful command of Scriptural language, and a remarkable felicity in introducing Scriptural incidents. Perhaps, after all, the greatest characteristic of his eloquence was the deep, fervent, solemn, yet cheerful, religious spirit with which he was imbued. He seemed an incarnate angel to some of his admirers, and his tongue was as if it had been touched with the sacred fire. His constitution was frail, and he suffered intensely from disease. His light was almost preternaturally brilliant, but it was prematurely extinguished, for he died at the age of twenty-seven.

John Newland Maffit was born in Ireland, and came to this country not far from the same time with Summerfield. His career was much longer than the other's, and hence he was more extensively known. His preaching attracted immense crowds. There was an indescribable charm about his manner, to which person, attitude, gesture, voice, and countenance all contributed. He was not characterized by the religious spirit to the same extent as Summerfield, and his success might probably be attributed to the action of natural and artificial elements, rather than to those deep convictions which have been so powerful and effective in some other preachers. There was in him comparatively little of the masculine force which carries the audience by strength; he was rather winning, persuasive, inspiring, taking captive the hearts of all his hearers. People would enthusiastically admire Mr. Maffit; they would be profoundly affected by what Mr. Summerfield said.

George G. Cookman had a character, as a preacher, somewhat different from either Maffit or Summerfield. His mind was of a more logical structure, and his discourse more weighty. His intellectual training, though not thoroughly classical, was, nevertheless, such as laid a fitting foundation for great mental efficiency. He was prompt, vigorous, and vivacious, and not only an eloquent preacher, but almost unsurpassed as a platform speaker. His voice was a remarkable one, and though he evidently never disciplined nor governed himself by the technical rules of elocution, yet his delivery was one chief source of his power. His manner of reading a hymn or a passage of Scripture, even the most familiar, was

such as surely to bring out a new meaning, or produce an impression never felt before. He was one of the passengers in the ill-fated President, and was never heard of after he sailed for England. The manner of his death has reminded many of his friends of a peculiarity of his preaching. It is said that his discourse was almost always enriched by impressive figures drawn from the sea. His allusions to storms and shipwrecks were among his grandest efforts, and so vivid and graphic were his descriptions that his hearers often lost themselves, and seemed actually present in the imaginary scenes. His farewell sermon while Chaplain of Congress, not a great while before his embarkation, was on the text, "And the sea gave up the dead which were in it." Among these dead he took his place in the forty-first year of his age, and the fifteenth of his ministry.

We have already spoken of Bishop Bascom in another connection, and have intimated the main features of his character. Henry Clay — no mean judge in such matters — pronounced him the most eloquent man he ever heard open his lips. His fine natural powers had been cultivated diligently and extensively, though under serious disadvantages. He was not merely a good elocutionist with a soaring imagination, but a scholarly and well-read minister. A susceptible and impressible mind, disporting itself amid such grand natural scenery as we have seen that the fields of his youthful labors presented to the eye, was not likely to be unaffected by it.

"Scenes such as these no doubt laid the foundation in his mental constitution of the marked peculiarities of his pulpit style; — a lofty independence of thought, an exuberant and daring imagination, a style of address which, indifferent to the conventional proprieties of minor criticism, made laws for itself; a concentrated, impassioned excitement, — glowing, thundering, overpowering in its pauseless vehemence." — *Annals*, p. 538.

The writer of the above, Dr. Wightman, also speaks of a sermon he once heard from Bascom, on the text, "Behold the Lamb of God, which taketh away the sin of the world."

"In his style you missed the elegant accuracy, the well-poised antithesis, the finish and polish which indicate the labor of lamp and file. You marked the want of that condensation, simplicity, and abstinence

from ornament which a masculine and cultivated taste would demand in a written discourse. But then this was *not* a written discourse, but an *oration;* and, accordingly, you had all the *action* of an impassioned extempore speaker, unfettered by manuscript or brief,—the living voice, with its ring of a clear, uplifted, angel trumpet, and the flashing eye, with its arrowy glance of piercing power. . . . . Particular passages were overpowering in their effect. They were like the discharges of heavy ordnance." — p. 539.

The most conspicuous of the Methodist clergy of New England, as well in great native powers thoroughly disciplined as in pulpit ability, was Stephen Olin, D. D., late President of the Wesleyan University at Middletown, Connecticut. He was a native of Vermont, and a graduate of Middlebury College. It was while he was teaching in the South that his thoughts were directed to the ministry, and he connected himself with a Southern Conference. He very soon distinguished himself as a preacher in his own denomination, and subsequently in other churches, and indeed attracted much attention while in England as a member of the Evangelical Alliance. Dr. Bates (formerly President of Middlebury College), whose pupil he was while in college, and friend in after years, describes him as distinguished by "a certain iron grasp of mind and comprehensiveness of thought, by which he seized upon a whole subject at once, saw it in all its parts and bearings at a single glance, and presented it to the view of others in the fewest words and clearest manner possible." This is an eminently true statement of a chief feature of his character. The one epithet which would naturally suggest itself as descriptive of him, to a person who should be in communion with him for even a few minutes, would be that of greatness. He was a great man in the best sense of the word. The principal quality of his pulpit discourses was power. You felt as though a mighty mind was struggling with yours, and almost sure to prevail. He had few or none of what are called the graces of oratory. As he rose in the pulpit, you saw a person of uncommon height, a large but not very compact frame, massive head, broad shoulders, features strong and prominent, with a kindly expression, the eye, especially in later years, rather dull, but still pleasant. His voice was impressive, though not

musical, and to a stranger there might be a general appearance of awkwardness. But this was very soon forgotten, as indeed was everything else about the man, so completely did the subject absorb the attention. The first few sentences — often the very first — contained the germ of the whole discourse, which was developed with the greatest simplicity and naturalness, and yet frequently with surpassing grandeur. "The whole was a masterly unrolling, a true, philosophical development of the idea which formed the starting-point, and which grew more luminous as the process went on, until it expanded into a glowing sphere of light."

We remember hearing him preach a baccalaureate sermon. It was in the last of July, on an intensely hot day. The spacious church was crowded in every part. He announced as his text: "I have written unto you, young men, because you are strong," etc. He had no notes, and he evidently did not speak *memoriter*. Very deliberately, as he commenced speaking, he shut the Bible, turned it round with its back to the audience, laid his spectacles on the desk, and in a natural but most noticeable manner proceeded with the work before him. We shall attempt no sketch of the discourse; it may be found in full in his published works. There were no formal divisions in the sermon; but there was a logical unfolding of a single great idea in all its bearings and ramifications. It was a grand hortatory oration, abounding in sound, wholesome, mighty thoughts, and fervid with strong emotion. Indeed, Dr. Olin was remarkable for the union of deep feeling with profound reasoning. The discourse continued for two hours and thirty-seven minutes, under circumstances which would have rendered an ordinary sermon of forty minutes tiresome; yet the vast audience exhibited no signs of impatience, nor seemed to think the time long.

He was a sufferer from disease for a great part of his life, and this deterred him from much of the public labor, both with pen and voice, for which he was so remarkably fitted. He died in 1851, at the age of fifty-nine.

Extended as our personal sketches have already been, it would be unjust to close without a reference to Wilbur Fisk, who perhaps more than any other man occupied the hearts

of the people of his denomination. He was not endowed with the great native powers which pertained to Olin; but he was a more active man. Like Olin, he was a native of Vermont, but was graduated at Brown University. He was a man of great ability, diligent culture, and much versatility, having nearly equal success as a teacher, a preacher, an administrator, and a controversialist. He was peculiarly fitted to win the hearts of the people, and was exceedingly popular as a pastor. To his efforts, in no small measure, was due the beginning of that energy which has of late years characterized the Methodists in the cause of education. He was the first principal of the oldest of their still living academies, and the first president of their first permanent college. As instructor, agent, president, or in whatever other office, he labored most heartily, faithfully, and self-sacrificingly; and had the happiness, which all pioneers in such enterprises do not attain, of seeing his efforts produce abundant fruits. Greatly beloved while he lived by thousands of parishioners, students, and personal friends, he was lamented in death as few men are, and is remembered even now, after a lapse of twenty years, with the most lively affection.

As we have previously intimated, our notices of individuals have been confined, with a few exceptions, to those of the earlier generations of a denomination still young, — men who began, and for the most part finished, their work when the Church had no schools nor colleges, and when the general advantages of education were fewer by far than now.

We have been gratified with the conviction, as we have been employed in penning these pages, that the various Christian churches — voluntary religious associations as they all are among us, and imperfect as all human combinations must be — have still been powerful in ministering to the national health, in shaping the character of the people, and in making a history worthy of the principles on which our government was founded.

ART. III. — 1. *Strafgesetzbuch für das Königreich Bayern.* Munich. 1838.
2. *Actenmassige Darstellung Merkwürdiger Verbrechen.* Von ANSELM RITTER VON FEUERBACH. Giessen. 1839.
3. *Lehrbuch des gemeinen in Deutschland gültigen peinlichen Rechts.* Von A. VON FEUERBACH.
4. *Code d'Instruction Criminelle de France.*
5. *Code des Tribunaux de France.*

IN a recent number of this Review (April, 1861), we described the principles and methods of criminal procedure in this country and in England; the dual composition of the tribunals; and the fundamental maxims which underlie the superstructure of criminal evidence. An endeavor was made to point out and expose the imperfections and actual faults of these processes; their inefficiency for the object of all judicial inquiry, the discovery of the truth; their natural and constant tendency to screen the guilty by rejecting the chief sources of information; and to show that, while they had their origin in considerations entirely political, they were opposed to the general experience of mankind, and to the principles of human thought and action. In general terms we suggested the adoption into our penal code of some of the elements of the Continental jurisprudence, from those countries which have drawn their legal systems largely from the vast reservoir of the Roman Law. Time did not permit a minute analysis, or even a general account of the criminal procedure of these European nations to which we refer, and it is proposed in the present article to give a more full description of its methods, as they prevail in the German states, and as they have been modified in France, and to indicate such of their principles as could with advantage be introduced into our own legal practice, and might add greatly to its efficiency as a means for eliciting the truth, punishing the guilty, and exculpating the innocent.

In proposing so radical a change in the law, we of course expect to encounter a vast barrier of opinion and prejudice. The whole legal profession would strongly oppose any remodel-

ling of the machinery of our criminal courts. All of our law books, from the earliest Year-Book down to the last volume of Revised Statutes, are written in the firm conviction that the English system is the bulwark of civil liberty, and the flower of a perfect civilization. The young man entering upon a course of legal study imbibes it from the pages of Blackstone, he hears it from the lips of the judge on the bench and in the conversation of the leaders of the bar, and he is gratified that he lives under a code of laws administered by a jury, and pities the benighted European, who may be subjected by a cunning and tyrannical judge to the insult and torture of a personal and perhaps secret examination, in order to extort a confession of guilt. Taking their tone from those who devote themselves exclusively to the study and practice of jurisprudence, the mass of educated men adopt the same opinions, supported and strengthened as they are by English history and literature.

The English are proverbially conservative; and from the time when the sturdy Barons delivered their blunt "Nolumus leges Angliæ mutari," to the present day, it has required a vast amount of labor to effect the abatement of acknowledged social or political abuses; but when they do arrive at the point of a reform, they stop at no half-way measures. It is within the memory of young men, that the practice in the civil courts of England was encumbered by all the intricate machinery which made it intensely difficult to arrive at the real point in dispute between the parties to a litigation; when the distinction of forms of action, and all the arbitrary rules founded upon it, were in full force; when the ancient maxim of evidence excluding parties, and all persons pecuniarily interested in the event of a suit, from the witness-box, was rigidly applied in each case; when the legal and equitable remedies were sternly separated and administered by different courts; when a suit in chancery might last a life-time, and absorb a whole estate, and would generally be so involved with the rubbish of mere practice as to be protracted for years. The very men who have seen Lord Eldon fiercely resisting any change in these antiquated abuses have lived to see them all swept away; forms of action abolished; parties testifying in their own be-

half; husbands and wives witnesses for or against each other, except in proceedings for divorce on account of adultery; law courts entertaining equitable defences; a chancery case a short and simple proceeding; county courts rendering minor litigation speedy, inexpensive, and certain; and in fact changes far more sweeping and radical than have yet been made in any American State, not even excepting New York. We remark, in passing, that the reform of the Court of Chancery had been accomplished before Mr. Dickens commenced the publication of Bleak House, and so far as that story was intended to be reformatory, the author was attacking an exploded abuse, and vigorously fighting an already lifeless enemy. When we see such sweeping reforms made in the civil administration of justice, reforms which go to the very bottom of the Common Law system of practice, and which, abandoning its principles, substitute those of the Civil Law, we cannot but believe that in time similar and equally effective modifications will be made on the criminal side of the courts.

No doctrine has been more deeply inwrought into the English law, than the absolute separation of legal and equitable proceedings. This division was the very essence of the Common Law methods of trial, and the Court of Chancery was for a very long time looked upon with the utmost jealousy and abhorrence by the English people, who hated and despised anything borrowed from the Roman Law. Lord Coke's writings and decisions bristle with his pointed assaults upon the jurisdiction and proceedings of the courts of equity. In fact, trial by jury and strictness of distinction between legal and equitable actions are correlative. The issue must be narrowed by a succession of logical pleadings, eliminating a single point of dispute, to be apprehended by the twelve laymen whose unanimous consent must decide between the parties. It is simply impossible that a jury should pronounce a decree in equity, adjusting the various rights and duties of suitors. But the Civil Law knew no such distinction. All actions were of the same character, brought before and adjudicated by the same tribunals. In their late changes, then, the English have utterly abandoned the peculiar feature of the Common Law procedure, and have adopted the germ of that of the Civil

Law. That this germ will grow and develop itself, until it embraces not only the methods of determining individual private rights, but also the disputes between the state and parties accused of crime, we have no doubt.

As has been said, one great obstacle in the way of legal reform, or change, is the fixedness of professional opinion. The very education and business of lawyers render them conservators of institutions as they are, and in their studies they are constantly recurring to the past, as determining what is, and what should be done in the present. In this country, the law-making power is mainly in the hands of the legal profession. From their ranks are chosen all of our leading legislators, who give shape and tone to public opinion, and from whom originate all modifications of public law. This is true to a far greater extent in America than in England, for we have no great class of landed gentry, who are thoroughly educated, and, being occupied by no business or profession, naturally seek their field of labor and ambition in Parliament. As legislators, the legal profession in the United States, except perhaps in the aristocratic State of South Carolina, supply the place of the country gentlemen in England.

Another and perhaps more serious obstacle in the way of effecting the changes we have suggested, is the strong attachment to jury trial, and the equally strong jealousy of judges, which, making an element in English character, have been inherited and fostered by ourselves. Nervously watchful of our personal liberties, we have been unwilling that they should be committed to any person officially raised above the people, and directly connected with the government in the administration of the laws. We have, through all the political changes of England and America, remained constant to this idea, and have resolutely determined that, when life or liberty is in danger through criminal accusations, the question should be solved by men chosen from among ourselves, of like passions and prejudices with us, trained by no official experience and professional study to be astute in discovering the wiles of the criminal, and bringing to the trial of the issues presented to them only the aid of the average common-sense. No assumption of power by the English government was ever so keenly

resented by the people as the establishment of the Star Chamber, a court proceeding in secret, without a jury, and in opposition to all the methods of Common Law tribunals. It certainly cannot be denied that even English history furnishes too many examples of judicial usurpation and tyranny, and, in fact, it is only since the time of Lord Holt that the judge has ceased to be generally regarded as the instrument and organ of the government, rather than as an officer chosen to hold the scales of justice impartially between the prosecution and the accused. Of the trial by jury we have already said enough for our purpose. Believing it to have been at one time an invaluable blessing, with equal strength of conviction, we believe it to be now worse than useless. It may be remarked, however, that at no period was this method of trial more lauded by English legal and historical writers, than when the prisoner at the bar was refused the aid of counsel to conduct his defence, except in arguing points of law arising upon the indictment, and, compelled to examine his own witnesses and cross-examine those for the state, was thus handed over bound hand and foot to the tender mercies of an ignorant jury. It was the pleasant and ingenious theory of the law, that the judge acted as counsel for the accused.

The danger of judicial usurpation has entirely passed away. In England the force of public opinion is controlling, and a magistrate would be driven from the bench who should lend himself as a tool of arbitrary power. In the American States we have, added to the influence of public opinion, the fact that judges are either directly chosen by the people, or appointed by those who hold their authority from the popular will. In most of the States, the term of judicial office is limited to a few years. We do not commend this practice. We believe that its speedy result will be to deteriorate and demoralize the bench; but we insist that it removes all well-founded apprehension of the judges siding with the government in any attempts to oppress the accused in state trials. Instead of dreading to find in the court a too warm and indiscriminate partisanship of the general or local governments, the danger to be greatly feared is the exact opposite. Under our system of short terms and elective offices, the inevitable tendency is

for the judge to court temporary and local popularity, by consorting with the people against the legislative and executive departments, when any judicial dispute arises between them. The bench will come to be looked upon, not as the goal of a worthy ambition, affording scope and opportunity, when reached, for the labors of a life-time, and the attainment of an honorable fame, but rather as the stepping-stone to a higher or more extensive political preferment in the gift of the people; and during the continuance of the term of office, this result will be constantly in view, and will influence decisions, and the conduct and bearing of the court toward suitors. At best, judges will be content to discharge their duties in a decent manner, so as not to incur censure from the bar or from electors; but the days of Kent and Story, of Marshall and Parsons, have passed forever from our judicial annals. This is not mere speculation, it is a fact, as illustrated in the State of New York, where the elective system is united with short terms of office. We have there seen able and experienced men stricken down in consequence of decisions which were obnoxious to a large class of the inhabitants of their districts, who combined without distinction of political party to secure their defeat. This has been peculiarly marked in those counties where the Anti-rent feeling has thus removed the questions in litigation from the sphere of the courts, and taken revenge at the ballot-box on the offending magistrate for his righteous judgment. We repeat, that the danger to be feared, and it is a great danger, is the unwillingness of judges firmly to support the state in its public prosecutions. The good of society demands that, where the executive is right, it should be unflinchingly sustained, although opposed by local, or even general, public opinion. In the present struggle to preserve our national government from ruin, we have seen the Chief Justice of the Supreme Court volunteer a decision which strikes from the hands of the President all means of protecting the public weal, of enforcing the laws and suppressing rebellion, and these *dicta* of the Chief have thus far been followed in every case by District Judges where the same questions have been presented to them.

Fortunately, state trials for political offences have been very

rare in this country, and judges have had little opportunity to display any undue proclivity either to sustain or defeat the government. On only one occasion, and that a memorable one, has the Supreme Court swerved from its high position, to enter the arena of purely political discussion, and travelled outside of the case before it for judgment, to forestall the action, not only of the legislature and the executive, but of the people also. In all the political cases which have arisen since the adoption of the Constitution, and they occurred in times of extreme party excitement, the courts have invariably acted in a fair and impartial manner between the prosecution and the accused. The only exceptions to this uniform practice have been in the cases of Judge Chase and of Judge Peck, and their offences were against the counsel, and not the parties, and both were brought to the bar of the United States Senate to answer for their alleged misconduct. No prouder illustration of the independence of the judiciary was ever exhibited, either in America or Europe, than in the trial of Aaron Burr for high treason. The character of the accused, his high social position, his long connection with the politics of the country, his transcendent abilities, the exalted station he had held in the government, and, finally, the vastness of his scheme — no less than the founding of an independent empire — and the mystery which shrouded the whole movement, all united to throw a high dramatic interest over the trial. The whole power of the executive was arrayed against the defendant to secure his conviction. Between the President and Mr. Burr there existed a deadly hostility, arising both from their different political principles, and from their rivalry in seeking the Presidential office. Thus the desire of Mr. Jefferson to punish a man whom he thought to be guilty and dangerous to the peace of the country was undoubtedly quickened by a feeling of personal revenge. The lofty standing, reputation, and eloquence of the counsel engaged on either side added much to the absorbing interest of the forensic contest. Over the whole presided Chief Justice Marshall. Calm, cold, unmoved by the pressure from without, he was the embodiment of impartial justice, administered strictly according to the known rules of law. Convinced beyond doubt of the

actual guilt of the prisoner, despising him as a demagogue, and abhorring him as an unprincipled traitor, whose mad ambition would sever the country and embroil the nation in a war with a friendly power to gratify his lust for personal aggrandizement, and knowing the ardent desire of the government for a conviction, he nevertheless firmly held the prosecution within the limits of the constitutional definition of the offence, and applied the law with such strict accuracy, and at the same time with such profound learning and strength of argument, that the case has remained to this day the source from which have been drawn all expositions of the law of treason; and the disappointment at the escape of the prisoner was tempered by the feeling of national exultation at such an example of lofty integrity in the chief judicial magistrate. With such instances continually before us, to instruct and warn the courts, we need apprehend no danger of judges extending too far their official power and prerogative.

It is well known that the body of the municipal law, as well as the forms of its administration in the states of Western, Central, and Southern Europe, are derived from the Roman Civil Law as its source, by as legitimate and direct a descent as is the English and American jurisprudence from the old Common Law of England. Until the discovery at Amalfi, in the year 1135, of a copy of the Pandects, the various national systems, although drawing their life from roots reaching far down into the rich deposit of Roman lore, were yet largely mingled with feudal and local customs. After this important epoch, the study of the compilations of Justinian became universal; learned professors lectured from them in the great universities; jurists commented upon them in works of vast magnitude and number, and judges made their doctrines more and more the basis of decision. The Roman Law, at least after it had become crystallized into codes under the Emperors, was the law of power. The English Common Law was the law of civil individual liberty. Its presumptions were always on the side of freedom, not universally observed in its actual application on the trial of offenders, but in the gradual progress of the nation in civilization the law kept even pace in the development of its germinant principles. It was thus

that the slavery of serfdom absolutely disappeared without any statutory abolition.

But with these invaluable qualities, upon which personal rights rested secure, the Common Law was a rough and meagre code in whatever related to property, trade, and commerce. Of personal property or movables it scarcely deigned a notice. Real property was fettered by the harsh regulations of feudalism. At an early period it was found necessary to borrow from the Roman legislation the principle of uses, or the separation of the legal from the beneficial ownership. It was not surprising, then, that the more cultivated ecclesiastics, in whose ranks were all the learning and study, should struggle in England to substitute the Roman for the Common Law. In this they were unsuccessful. Stoutly resisted by the Barons and the people, they succeeded only in establishing the Court of Chancery, — which, as it professed to act upon the conscience of the suitor, was presided over by a religious person, — the Court of Admiralty, and the regular ecclesiastical courts. On the Continent the attempt was more successful, because the Roman Law already underlay their legal systems, because it was a complete scientific code, even now the wonder and admiration of jurists, and because it promised a ready and effectual support to the rulers, from its fundamental and opening proposition, — "The will of the Emperor is the source of law." The feudal customs of France and Germany were thus gradually superseded and modified, and the Civil Law ruled over the then civilized Europe. The progress of the ages has not failed to mitigate the sternness of this code's devotion to the ruling power of the state; but it is no less true that the spirit of the Civil Law is one of power and authority. It recognizes the safety of the commonwealth as of higher moment than the liberty of the individual. It does not base its whole criminal practice upon strong presumptions of the innocence of the accused; it employs every means to ascertain the truth, and does not reject those which are sanctioned by the universal experience of mankind, even though they result in the surprise and discomfiture of the prisoner; it does not hesitate to probe his own conscience and force from him the truth; and it does not submit his case to a jury of his fellows, with whom

a feeling of compassion is often sufficiently strong to outweigh a mass of convincing evidence, but to a court of trained criminal judges, with whom justice, and not pity, is the impelling principle. It is thus plain that the two systems proceed from opposite points of departure. The one respected the individual, the other the state; the one struggled to acquit the innocent, the other strove to convict the guilty; the one, doubtless, in its actual administration, freed many who should have been condemned; the other, perhaps, sometimes condemned those who should have been freed. Since these contrasting systems were inaugurated in Europe, what a change has passed over the face of society! The individual has asserted his independence, and can demand for himself respect and protection. In England the most powerful administration is swept away by the mere expression of public opinion. Personal rights are secure; is it certain that the state is safe?

In comparing the Common with the Civil Law, it cannot be denied that the use of torture was continued to a much later period in the Continental courts than in England. Indeed, in the latter country recourse was probably never had to this means in the progress of an ordinary criminal trial, but only as a punishment for heinous offences, after conviction. But to state offenders it was applied before trial, to extort confessions of personal guilt, and information of the complicity of others in conspiracies and seditious plots. The design of the use of torture upon persons accused of crime by the European courts, has often been much misapprehended. It has usually been cited as an illustration of the barbarity and cold-blooded malignity of judges, especially of those in ecclesiastical courts, and as a wanton infliction upon the unhappy prisoner of the keenest suffering. Terrible as the practice was, we must not paint it in colors blacker than the truth will warrant. The universal practice of these courts forbade the execution of a criminal for a capital offence until, as supplementary to other proof, however convincing, was added the confession of the prisoner. This confession was indispensable, and persons were sometimes kept in confinement for years until it was obtained. After sufficient secondary proof had been disclosed to produce a moral conviction in the minds of the judges that

the accused was guilty, the torture was applied to extort the final admissions which should precede execution. How much or how little preliminary evidence would be satisfactory before a resort was had to the question, would depend upon the discretion of the judge, and doubtless great and unnecessary cruelty was often practised to gratify feelings of malice and revenge. We offer no apology for the use of torture. Those who excuse, as being actuated by the spirit of the age, Calvin for burning Servetus, and the New England Puritans for murdering old women as witches, will certainly not be too much shocked that the rack, the thumb-screw, and other ingenious contrivances, were in constant use by the criminal courts of Europe.

The principles of the municipal law of the different European countries which were relied upon as the basis of judicial decision, remained scattered not only through local enactments and the Imperial compilations, but also through a great mass of text writers and commentators, who discussed jurisprudence in a most complete and scientific manner. At length the age of codes arrived. The greatest work of the first Napoleon was the codification of the laws of France, which was accomplished under his supervision by the most eminent French jurists, and based upon the Civil Law. Carried over Europe by the progressing arms of the Empire, and imposed upon conquered states, its intrinsic merits to a great extent overcame the opposition to its origin, and it has remained an exemplar and living source of other national revisions.

The purest type of the peculiar excellences and defects of the Continental criminal law is to be found in the German penal codes. The leading one, after which those of other states are largely patterned, is that of Bavaria. This code, adopted by order of the government in the year 1813, was compiled by Anselm von Feuerbach, a distinguished criminal judge, and a learned jurist. Feuerbach was born in 1775, at Frankfort on the Maine. He was a teacher of law at the University of Jena in 1799, and in 1801 was elected an ordinary professor. In 1804 he was commissioned to prepare a plan for a penal code of the kingdom of Bavaria. In 1806 the first

fruits of his labors were seen in the entire abolition of torture by an ordinance drawn up by him. In this he encountered the strong opposition of judges of the old school, who found themselves thus deprived of a very easy and expeditious means of bringing a trial to a speedy close. In 1813, the code, having been completed, received the royal sanction, and was immediately adopted by several other states, was translated into Swedish, and became the basis of the criminal legislation of the whole German Confederacy. In 1814 Feuerbach was appointed Second President of the Court of Appeals in Bamberg, in 1817 was promoted to be First President of the Court of Appeal of the Circle of Rezat, and was afterward commissioned to make an examination of the courts and judicial proceedings of France. His works were numerous, chiefly relating to criminal law. The most important were, a Revision of the Fundamental Principles of Criminal Law, published in 1799; Manual of the Private Criminal Law of Germany, 1809; Remarkable Criminal Cases, 1811; Observations on Trial by Jury, 1812; On the Publicity of Judicial Proceedings, 1821; and On the Judicial System and Process in France, 1825. In these writings he has shown himself an illustrious example of the effects of the system under which he had grown, and of which he was a profound master. Of liberal and advanced views, not blindly wedded to old abuses, he was still an ardent advocate of the superiority of the distinctive features of the Continental practice, and retained them unimpaired in his code. Commencing his public labors at about the time when the French had imported the jury trial from England, and other countries were about to follow their example, he vigorously attacked the institution, and resolutely opposed its further adoption. He was evidently a profound student of human nature, and possessed a wonderful faculty of analyzing and combining circumstantial evidence, and tracing the steps of a criminal through all attempts at concealment, thus possessing and calling into use, in his official duties, the very skill resulting from study and experience which is almost entirely wanting in our judges, and completely so in our juries. We give a sketch of the procedure established by this Bavarian code, as illustrative of the whole German criminal law.

The first, and one of the most important, marks of difference which meet us on a comparison of the German with the English judicial process, is the denial by the former of the privilege of bail to persons arrested and accused of having committed offences which subject them to the penalties of the law. The use of bail in criminal cases is almost entirely peculiar to countries acknowledging the Common Law, or which have in comparatively recent revisions borrowed some provisions therefrom. The right of bail is sacred in England, and was so esteemed by our ancestors as to be especially guaranteed by the Constitutions of most of the United States, and in both countries it is protected, and can be enforced by the high prerogative writ of *habeas corpus*, which can be suspended only by the act of the supreme civil power in the state during times of rebellion, or by the proclamation of martial law. Bail is doubtless a relic of the rude organization of society under the Saxon rule in England, when power was localized and distributed into small communities. As a check upon too great license, the several Hundreds were responsible for the conduct of their inhabitants, and the principle of suretyship thus lay at the foundation of the simplest political divisions of the community. With the complete change in the structure of society, this enforced personal accountability has of course been abandoned; but in tender regard for individual freedom, the voluntary personal suretyship has been retained. The right of a prisoner to be discharged from custody upon bail, which we have so scrupulously endeavored to preserve inviolate, is one which in its actual operation is subject to very great abuse, and it may well be doubted whether in this country the evils resulting from this abuse do not practically far outweigh the benefits flowing from the enjoyment of the privilege. It is a matter of notoriety that in our larger towns and cities, where the commission of crime is a profession, and where the vast majority of arrests for ordinary and minor offences are made, the procuring of fictitious or straw-bail is reduced to a well-compacted system, which it is impossible for examining and committing magistrates, in the pressure of their official duties, effectually to evade. The form is observed, the bond taken, and the accused set at liberty, never to appear again unless

upon arrest for a new crime. A comparison of the statistics of the proceedings of our courts, magistrates, and prosecuting officers would show beyond a doubt that a very large proportion of persons arrested for crime escape by forfeiting their bail, and that a majority of the offenders actually tried are those who, failing through want of means or influence or confederates to procure bail, have remained in confinement. This evil is fast turning the arrest of criminals into a mockery, and demands the adoption of some radical amendment of our penal code, which shall secure the speedy and certain trial of persons charged with breaches of the law. We do not advocate a complete imitation of the German practice by the total abolition of bail; but a large discretion should be given to judges and committing magistrates of absolutely refusing it, in cases where the preliminary evidence raises a reasonable presumption of the prisoner's guilt. At present, the only discretion possessed in cases not capital is in fixing the amount of the security, and here the power of the officer is trammelled by the constitutional limitation forbidding excessive bail, which has always been construed as meaning to prevent such an increase by the judge, of the sum required, as will substantially amount to a total prohibition. What the good of society and the security of persons and property demand, is the power of absolutely denying, to a party accused, the privilege of being enlarged from arrest, when the circumstances of the case will warrant the exercise of that power. Without it, and by blindly adhering to our traditional love for the right of bail, the provisions of the law defining and punishing crime are fast losing their sanction and their effectiveness. That the German practice, unnecessarily stringent as we may be inclined to view it, renders the law more "a terror to evil-doers," no one will hesitate to concede; and as the object of all law with punitive sanctions is to deter others from the commission of crime, by a wholesome example, as well as to call into force a proper retribution upon the particular offender, the provisions of the penal enactments should not be such as to remove this salutary fear, by constantly presenting before the minds of the vicious the hope of absolute and speedy escape. The European codes have perhaps given too much force and

prominence to the former design, to the neglect of the personal rights of the citizen, while our own have certainly erred in the opposite direction. A compromise between the two systems would be the golden mean where the truth lies.

The judicial officers of the Bavarian criminal courts are separated into two classes, whose functions are entirely different, — the judges who examine and take the proofs, and the judges proper who decide. The former class combine in part the duties of our examining and committing magistrates, prosecuting or state attorneys, grand juries, and police detectives. It is among these officers that such wonderful skill is attained in reading the obscure writing left behind him by the criminal in his acts, in combining the disjointed circumstances which are grouped about the principal event, in divining the motives and thoughts of a prisoner through all his specious attempts at concealment, and in probing his conscience and forcing a disclosure of the truth by protracted and subtle interrogations.

There is nothing analogous to the investigation by a grand jury, and the finding by them of a bill of indictment. No formal complaint or written accusation is made the basis of the proceeding. When a crime is discovered and brought to the knowledge of the examining judge, he immediately begins to collect the evidence bearing upon it. We will suppose that a homicide is under investigation. The first step is to have a careful detail made of the entire physical appearance of the dead body and of the place where it was found, and where the crime was apparently committed. In conducting this examination the utmost caution and accuracy are employed which the nature of the place and the circumstances and character of the crime will permit. Nothing is left to the mere memory of witnesses who may have been casually present at the scene when the discovery was made. So minute is the examination, that foot-prints are often preserved by plaster casts, so as to be useful in identifying a suspected person by his tracks. In this perpetuating proof, the German method is far superior to our own, although there is nothing in the nature and organization of our criminal machinery which forbids the use of the same means. The difficulty is that we have no class of experienced officials, whose duty requires them to attend to these details,

and to preserve such important *indicia*. Whatever is done of the kind is voluntary. The judge knows nothing of the case until it is called for trial. The examining and committing magistrate hears only the evidence of such witnesses as may be presented to him. It is left to the police and to the state's attorney to discover and perpetuate the evidence. How competent for such a task are our local and municipal police, with a few exceptions, in large cities, of professional detectives, we need not pause to inquire. Prosecuting officers are generally lawyers, chosen in each county for short terms of office, on account of some political preference, and it is not unfair to them as a class to say, that they esteem their duties creditably performed by aiding grand juries in conducting such cases as may be brought before them for investigation, and afterward prosecuting the indictments to trial before the court. Few district attorneys, upon the discovery of even the most heinous crimes, would consider it within the range of their official duties to assume in addition the *rôle* of policemen. It will be readily remembered to what an amount of unfriendly criticism from the public press the distinguished District Attorney of New York City was subjected a few years ago, when, in the prosecution of his official functions in one of the *causes célèbres* which had attracted much attention, not only in the city but throughout the country, he took steps for obtaining by stratagem undoubted evidence of a crime which he was convinced was to be perpetrated. Every person at all conversant with criminal trials in our courts, knows how untrustworthy, vague, and often entirely contradictory, are the sworn statements of eyewitnesses who are called to describe to the jury the same physical *indicia* of the scene of a homicide. This positiveness of the proof that must be the commencement of a judicial inquiry, which we lack through the want of constituted authorities whose especial office is to preserve such facts, the German courts obtain at once, while the aspect of the scene is unchanged, while the memory of the witnesses is fresh, while the examining judge himself can by ocular observations fix the exact topography and appearance of the spot.

Should the circumstances point with sufficient strength of suspicion to any individual as the guilty party, he is appre-

hended and committed to prison. Great caution is observed at the time of the arrest, and during the continuance of the examination, to conceal effectually from the suspected the nature of the crime charged against him, and he is permitted to have no communication with others. Meanwhile the judge proceeds to take the depositions of witnesses. Several persons may be in custody at the same time, and different examinations simultaneously in progress, each following out a separate clew.

The German codes are extremely particular in the character of their proofs, and have established a number of definite rules, which to us may seem arbitrary, but which are really based upon a sure foundation of experience and common-sense. As a starting point in the judicial investigation, the *corpus delicti* must be absolutely proved by credible and sufficient evidence. In murder cases, the detailed confession of the accused is not competent to establish the *corpus delicti;* it only proves the acts which he describes, and not the mortal result from those acts; that — the death — must be still further confirmed by extraneous evidence. In this rule the German is more exacting than the English law, which makes a confession in open court, or even to a stranger out of court, if entirely voluntary, a sufficient ground for conviction of any grade of homicide.

Persons produced as witnesses are divided into classes, according to the degree of confidence which is to be given to their testimony. The evidence of some is considered so untrustworthy that it is absolutely rejected. These are persons who have been convicted or even strongly suspected of perjury, falsehood, or suppression of evidence, and children under eight years of age. Our own system recognizes one of these disabilities, and carries it to a greater extent, by shutting the witness-box to all who have been convicted of felony. In the case of a young child, our practice would ascertain by preliminary questions whether he showed an appreciation of the meaning and sanction of an oath, and if so the examination would proceed. The other persons embraced in this class of incompetents would be allowed by us to be sworn and to depose to the jury, and if the opposite party could destroy

confidence in their veracity by witnesses, impeaching their character, they would be allowed to offer such description of proof, to have such effect with the triers as they might choose to give to it.

The next class is that of suspicious witnesses, and includes accomplices of the accused in the crime, the injured party, informers, except those whose official position renders it their duty to inform, youths under eighteen years of age, persons connected in interest or relationship with the prisoner, or hostile to him, and those of a doubtful general character. All others are sufficient or good witnesses.

The object of this particular classification of witnesses will be seen when we consider the rules by which their testimony is compared and weighed, and the credence given to it. If two sufficient or good witnesses agree as to a fact of which they have the evidence of their senses, the testimony is considered as amounting to proof. The testimony of one such witness is half proof of the fact, and requires the substantiation of other independent evidence. If two suspicious witnesses concur, and corroborate each other in their depositions, it is deemed equal in effect to the testimony of one good or sufficient witness. Our law recognizes the correctness of the idea which lies at the basis of these apparently technical rules; yet it does not shape the principle into any definite provisions regulating the character and weight of evidence, but leaves it vague and undefined, to be applied in each particular case according to the discretion or caprice of judge or jury. An advocate may in his arguments attack with the whole force of his reasoning the testimony of an informer, an accomplice, the injured party, and others embraced in the foregoing class of suspicious witnesses, and the judge may add some suggestions to the comments of the counsel, and will inform the jury that the statements of an accomplice are very untrustworthy, and that they should by all means be fortified by other evidence; yet the jury may entirely disregard these directions from the bench, and convict upon the unsupported testimony given by a single witness of the most suspicious character. Cases are frequent where the leading and almost sole witnesses for the prosecution are the injured parties, and doubtless

much injustice is done by the reliance placed upon their colored and exaggerated accounts. It seems to us that the German criminal law — recognizing, as does our own, the fact that the testimony of this class of persons demands most careful scrutiny, to reject from it the large element of personal bias which causes it to swerve from the truth — is correct in generalizing the universal experience of mankind into these few simple and sharply defined rules, whose observance, though in a few instances it may work injustice against the prosecution, will in the long run produce the greatest number of satisfactory and correct results.

In the nature of the evidence drawn from the witnesses the German practice differs largely from that of the Common Law courts. The two systems are founded upon opposite principles. The direct testimony of eyewitnesses, and the description of all the physical facts which surround the case, are of course received. Circumstantial evidence is also admitted with the same force and effect, and under the same limitations, as in England and America. The circumstances must all be consistent with the theory of guilt, and reasonably explicable by no other supposition, and even then the confession of the prisoner must be added to them to warrant a capital conviction. It is in regard to the accused himself that the important difference exists. In our criminal trials no rule is more frequently quoted, and more strictly enforced, than the one which confines the evidence to the very matter in issue. As was shown on a former occasion, this rule was derived from a careful respect for the rights of the defendant, to protect him from surprise at a time when he may be unable to explain suspicious and damaging circumstances, and also from the composition of the jury, who would be unable or unwilling to divest the case of extraneous facts, which had no bearing upon the question to be decided by them. The German courts are hampered by no such maxim, and there does not exist with them the necessity for its use. We add nothing, in regard to the comparative reasonableness and efficiency of the two systems in this particular, to the suggestions which we have already offered.

In prosecuting the investigation, the judge examines wit-

nesses who have known the accused from childhood and through his whole life, endeavors to trace with the utmost particularity his history from his birth up to the time of the arrest, dwells upon former suspicious acts or circumstances in which he may have been involved, learns his business, his property or means of livelihood, his station in life, his friends and associates, his habits, his religious opinions and practices, — in short, everything which will tend to throw light upon his real character and disposition. As he approaches the time of the offence, he attempts to obtain a complete transcript of the prisoner's daily life, his every act and word. This is all to ascertain whether it be probable that he would have committed the crime charged against him. It is a practical application in a judicial problem of the argument *a priori*.

In collecting evidence, the examining judge does not restrict himself to that which involves the prisoner, but is equally careful to discover and secure all which is in his favor. The witnesses are examined separately, their depositions are reduced to writing by a notary, and attested and preserved for further use.

While the judge is thus proceeding with the other witnesses, he will be conducting the examination of the accused himself, and more reliance is placed upon this portion of the proofs than upon all the rest. The examination is in private, attended only by a notary. The nature of the charge is concealed from the prisoner, nor is he allowed to see the depositions of the witnesses, or informed as to the nature of their contents. The judge commences the interview, by exhorting him to tell the truth, and make a full disclosure, conveying the impression that, if he confesses, his punishment will be mitigated. He is first asked if he knows why he is arrested, and if he professes to be ignorant, or gives a false or prevaricating reply, he is again warned to tell the truth. If he continues to deny knowledge of the cause of arrest, the examination closes for the day. If he utterly refuses to answer, he is put upon a diet of bread and water in solitary confinement until he relents. The questions and answers are carefully reduced to writing by the notary. The judge is very minute in his inquiries, gradually advancing from day to day from trivial questions to those of

the utmost moment, inwrapping the culprit in a maze of interrogatories, apparently without definite design, but really all tending toward the grand final result, the complete breaking down of the defence. The examination is often a severe contest of intellects between the officer and the prisoner, the former endeavoring to conceal as far as possible the object and design of his questions, so as to afford little or no opportunity to anticipate a course of interrogatory, and thus to be prepared to meet it, and the latter on the other hand calling into action all his powers of mind to evade the scrutiny of the judge, to tell a reasonable and consistent story, and to remain firm to his narrative in the face of every attack. The records of trials published by Feuerbach afford some most remarkable instances of the astuteness and caution of the judge, and the shrewdness of the prisoner, who would for days persist in the same account, and, when finally driven from it by the advancing outworks of his wily inquisitor, would abandon his position with the greatest apparent candor, concede that it was false, and intrench himself behind new ramparts, and, when thus dislodged from one stronghold after another, would at last confess the crime with the utmost particularity of detail, and in exact accordance with the statements of other witnesses. Many guilty persons are thus driven by sheer weariness to give up the contest and surrender at discretion. When the prisoner is very obstinate, and, notwithstanding all his self-contradictions and falsehoods, still persists in denying the actual guilt, the case may be protracted for a long time; and if he succeed in exhausting the patience of the judge, he may be sentenced to close confinement, even in chains, for life, but will not be executed. In murder cases, the accused is brought to the scene of the homicide and placed before the dead body, and there, under the terror which may be naturally excited by these means, he is closely interrogated. Timorous and weak-minded persons may by such devices be frightened into a confession, or be betrayed into such admissions as, pursued with steadiness by the judge, will lead to a full disclosure; but with hardened criminals, to whom scenes of blood and violence are familiar, this melodramatic contrivance will have but little good result. In one case, where the prisoner was

really guilty of an aggravated murder, and had been under repeated and long-continued examinations, he was brought before the judge, with every appliance of solemnity to heighten the effect, and suddenly placed face to face with the bare and grinning skull of the double victim of his lust and his cruelty, and the only effect was a faint smile, and a sententious religious remark.

Another means of startling the prisoner into an acknowledgment of the truth is by confronting him with witnesses. The Bavarian code contains an entire chapter devoted to the details of this subject. Should the party, after numerous interviews, persist in a story known to the judge, by the testimony of witnesses, to be false, he is required on a particular examination to repeat his narrative with all the minuteness possible; and immediately, with the lie yet upon his lips, and suddenly, he is confronted with some witness who has told the truth, perhaps an accomplice, of whose revelations he has been kept in entire ignorance. Being thus face to face with another person whom he knows to be acquainted with all the facts, he is again examined as to the same matters, and directed to explain and reconcile the discrepancies between his own account and that of the witness. They are both interrogated together, and every means is employed to drive the prisoner from his position. This confrontation is sometimes made with several witnesses successively, and the accumulating evidence of the culprit's falsehood becomes overwhelming, and rarely fails to produce the desired effect.

A confession, to be a sufficient ground for a sentence of death, must be made in the most formal manner. It will not suffice if the disclosure be given at the first examination; it must be at a regular interview, before judge and notary, and subsequently repeated and confirmed on another day.

The method thus pursued by the German criminal judges in their official investigations, is certainly productive of the most astonishing results. In the cases described by Feuerbach in his collection of Remarkable Criminal Trials, all the criminals, except two or three charged with minor offences and evidently innocent, confessed their guilt under the searching examination to which they were subjected. Some, indeed,

qualified their confessions by statements of mitigating circumstances, to save themselves from the extreme penalty; but the majority made a full and elaborate disclosure, with great minuteness of detail. This remarkable phenomenon seemed to Feuerbach to require some explanation, and he gives from his experience the principal motives and reasons which impel criminals to a confession. A portion are driven to the avowal by feelings of remorse, goaded on by the stings of an angry conscience. This class, as may be supposed, is by far the smallest of all. Others are influenced by a sentiment of shame at their futile attempts to escape the scrutiny of the examiner. They find themselves detected in lie after lie; no story, however plausible, can resist the keen perceptions of the judge; he penetrates all their subterfuges, and exposes them both to themselves and to the court as liars and perjurers. Others yet are induced by an expectation of mitigating the punishment of their crimes. They are in the hands of the judge, who can increase or diminish at pleasure the penalties inflicted upon them, and with a view to escape the extreme rigor of the law, and to propitiate the favor of the court, they open their hearts and disclose their guilt. But the far greater number are driven to confess by sheer exhaustion, by a desperate feeling of inability to cope longer with their subtle antagonists; and they thus abandon the contest, and sullenly yield to their fate.

The detail of this method of endeavoring to force the truth from the breast of the unwilling criminal by unfair advantages, by mental torture and terrible sights, is certainly most reprehensible. It shocks all our instincts and feelings of justice and humanity. The isolation of the suspected person after his arrest, the denial of legal counsel to aid and instruct him in shaping his defence, the concealment from him of the very nature of the charge, are all invasions of natural rights which belong as well to the guilty as to the innocent. It is these particulars, so evidently oppressive, together with the artifices employed by the judge to entrap the party into contradictions in his replies, all of which are unnecessary excrescences upon the simple principle of a personal examination, which have brought that principle into such disrepute with English and

American lawyers and legal writers. Strip the system of these blemishes, allow the prisoner to communicate with counsel, inform him of the nature of the crime alleged to have been perpetrated by him, reject all vulgar appliances for inspiring terror, make the examination public in the course of the trial, and we shall preserve the essential features of the German procedure, and give to our courts a most powerful aid in discovering the truth, while at the same time we shall sufficiently guard the rights of the accused.

Another provision of the methods under review which is equally unnecessary and injurious, is that requiring the confession of a person on trial before his conviction of a capital offence. This reliance upon the efficacy of a formal confession is the real cause of the arbitrary manner of conducting the investigation, and of the unjust artifices employed to surprise and outwit the defendant. It is a strange inconsistency in a criminal code which professes so to value human life that it cannot be judicially destroyed except by the voluntary act of the accused party, that it should sanction and establish the most subtle and refined means to take advantage of that party, to work upon him by mental torture, and at last to reduce him to such a state of exhaustion, that he confesses, to seek refuge in death from the untiring foe that pursues him. There are no valid reasons by which this rule can be supported. All judicial evidence is imperfect, yet it is, and must be, continually acted upon. There is no distinction between the nature of the proofs which establish a murder, and that of those which establish a robbery. As the former is an offence of a higher grade, and the penalty of death once inflicted can never be recalled, it is of course incumbent upon juries and judges in such cases to consider, compare, and weigh more carefully the facts presented to them, that if possible all sources of mistake may be eliminated. A heavier responsibility rests upon the triers in making their decision, demanding the utmost caution and calm deliberation; but the character and quality of the evidentiary facts upon which a verdict is based are the same in all criminal trials. A confession is no more a legitimately necessary step to conviction of a capital offence, than to that of a larceny or an assault. The adoption

of the principle of examining persons on trial for crime does not, then, involve the prosecution of that inquiry in any instance until it result in a confession. The disclosures made by the prisoner should be considered in connection with other developments of facts, as a part of the general evidence in the case, all to be passed upon by the judge or jury, and a conclusion reached according to the preponderance on the one side or the other, sufficient to produce a mental conviction of reasonable certainty. The practice of requiring a confession in capital cases was derived from a religious source. It doubtless had its origin at the time when the Church of Rome reigned supreme throughout Europe, and the influence of its doctrines and teachings penetrated the courts as well as every other institution of society. The doctrine of the confessional as a prerequisite to priestly absolution was imported into the criminal procedure, and the life of even the most atrocious violator of the law would not be sacrificed, until the Church had by absolution relieved him from the dread penalty of eternal punishment. These considerations would now prevail in those countries where the Romish Church is strictly recognized by law as a part of the state polity.

The duties of the examining judge cease with the completion of the evidence. The prisoner is then allowed the assistance of an advocate, who may confer with him in private, and is furnished with a copy of the depositions and other proofs. The counsel from these data prepares a minute of his objections to the proceedings, and to the sufficiency of the case made by the prosecution; and a written argument in favor of his client, such as is warranted by the facts, and the whole evidence, together with the defence, is forwarded to the Central Criminal Court of the Circle or District for decision. This court consists of professional judges, appointed from the ranks of advocates, or promoted from inferior courts, and it decides by a majority, determining not only the degree of the crime, but the punishment to be inflicted. Upon the reception of a case by the court, it is referred to one of the judges, who after careful examination is to report whether it be ready for decision, and, if so, whether the accused is guilty or innocent, and if guilty, of what offence, and what should be the punish-

ment. Should he report that the case is not ready for decision, and the other judges concur, it is remitted for further evidence upon the points which are insufficiently established. Should the case be in a state to proceed, the court passes to consider the other questions. It will be seen that the judges who decide the questions of fact do not have the aid of a personal inspection of the witnesses, which is so properly guaranteed to our criminal courts, and to parties accused, by the fundamental law; but this serious want is partially supplied by the exceeding minuteness and particularity of the examination, both of the witnesses and the prisoner, pursued by the inferior judges. But no careful attention to detail will atone for the great injustice done to a prisoner by subjecting him to the hazard of a decision affecting his life or liberty, made by a court who are utter strangers to the witnesses.

When the case involves questions of medical science, as for example when the defence is based upon the alleged insanity of the accused, the court may associate with itself, or refer the cause to, medical experts, as assessors who aid the judges in their conclusions. In the prosecution of this inquiry, a new examination may be ordered to elicit proof of the special facts not fully established, and thus to satisfy the minds of the judges and assessors. Too much cannot be said in praise of this method of judicial investigation and decision as to matters of science, upon which the whole disposition of a criminal cause may turn. Compared with it, our practice of submitting these questions to a jury is palpably and wickedly absurd. The argument upon which the advocates of a jury most rest their cause is, that a criminal trial involves only facts within the knowledge and understanding of men of ordinary common-sense, with which they are familiar in their daily experience, and of which they have the same ability to judge as trained officials, and that in the aggregate it is safer for the state and the accused that the determination of facts should thus be exclusively committed to laymen, chosen at large from the body of respectable citizens. Giving to this reasoning its full force, conceding that it disposes of the question in dispute, it does not establish the propriety, it rather demonstrates the absurdity, of permitting juries to entertain questions entirely

or partially scientific. We do not ask them to settle a disputed point of law, because their ordinary common-sense does not embrace a knowledge and comprehension of jurisprudence, and for the same reason we should withdraw from them such subjects as that of insanity, an understanding of which, even in the present state of medical science, requires years of study and practice. The German codes appreciate the difficulty which even learned and experienced judges must encounter in undertaking to solve, without assistance, questions involving this intricate department of medical jurisprudence, and wisely defer to the knowledge of men who have given to the matter their especial attention. We might in our courts still retain the jury trial in criminal cases, and at the same time avail ourselves of the benefits of the German process, by removing such issues as insanity from the jury, and submitting them to a number of medical assessors, appointed by the bench, whose decision, made in the light of legal instructions from the court, should establish the fact in the same manner as the ordinary verdict. This alteration would leave the judges and the jury in the exercise of all their proper functions, and would aid both by the authoritative opinion of scientific experts upon a question of fact peculiarly within their knowledge. Some such amendment, we are confident, must be made in the machinery of our criminal trials, to rescue the law from its present anomalous position, and to place it in sympathy with the condition of medical science, which, through the researches and discoveries of physicians, has made a great advance in the department of insanity since the time when the English judges pronounced the decision which has been followed almost without exception in England and the United States.

When the sentence of the Central Criminal Court is death, or imprisonment for more than twenty years, the case is carried to the High Court of Appeals for revision, and in all other instances the prisoner may appeal to the same court at his option. Should the convict be dissatisfied with the decision of the first Court of Appeal, he may demand a second appeal to a different court. The Courts of Appeal, in cases involving such issues as insanity, may direct a reference to the local medical societies or colleges for their opinion, and their decision may

be reviewed by the Supreme or General Medical College of the kingdom. Should the judgment of the Central Court be reversed on appeal, the prisoner is immediately discharged; should it be affirmed, the penalty is executed within twenty-four hours. The Court of Appeal may also modify the sentence of the inferior tribunal, and convict the prisoner of a different crime, and subject him to a greater or less punishment.

We have thus given a sketch of the procedure in the Bavarian criminal courts, which may also be taken as a fair illustration of the methods which prevail throughout the German states. To those who have grown up under the influence of the English Common Law, the imperfections of this Continental system are evident. Its excellences will appear no less remarkable to those who examine its workings, and reflect upon the design of all judicial inquiries. The English trial is more dramatic, the German more thorough; the one searches after the truth in an indirect way, rejecting many trustworthy sources, the other leaves no means untried, and in theory, and for the most part in practice, does not stop short of absolute certainty; the one anxiously throws its safeguards about the prisoner, to prevent the state from encroaching upon his rights, the other regards all those rights as forfeited, or subservient to the general welfare; the one convicts upon presumptions, the other studiously avoids all presumptions.

We had intended to give extracts from some of the trials set forth at large by Feuerbach, to illustrate the practical operation of the German judicial process, but our space will not permit. Some of the most important and interesting of these cases have been translated, condensed, and published by Lady Duff Gordon.

Up to the time of the first Revolution, the French criminal procedure was in a most unsatisfactory and deplorable condition. The general method was that of the Civil Law. The judges were ignorant, venal, and cruel; bribery was common, even universal; the distinctions of rank were regarded on the bench and in the prisoner's box; few or no rights were accorded to the accused; the use of torture was frequent and extreme, the double question being readily resorted to; cases

of the most frightful injustice and barbarity were continually occurring. Startled by one of these instances of more than ordinary atrocity, and espousing the cause of the victims, Voltaire brought the whole force of his sarcasm and weight of his influence to bear against the system, and did much to arouse the public indignation against its enormities, and to hasten its downfall. One of the first steps in the reorganization of society and the government at the Revolution was the remodelling of the whole criminal code, and the ingrafting of a portion of the English practice upon the original stock of the ancient law. By a decree of the Convention in 1791, trial by jury was imported, and a quasi grand jury established, from which all criminal charges of certain grades must originate. This body, called the *jury d'accusation*, consisted of eight persons, and three votes in favor of an accused party prevented an indictment. This imitation of the grand jury was found to be incompatible with the habits and character of the French people; it proved a failure in its operation, and was retained but a few years, being abolished in 1809. In that year, under Napoleon, the whole body of the law was condensed into codes, each of which related to a general department of jurisprudence. The *Code Civile*, called pre-eminently the *Code Napoléon*, comprised the municipal law regulating private rights and wrongs. The *Code Pénal* defined crimes against the state, and apportioned punishments. The *Code d'Instruction Criminelle* related to the organization of criminal courts, and their procedure in arraigning and trying persons accused of crimes. These several codes have substantially remained to the present time, the alterations and additions being slight. The criminal procedure of France is now a mixture of the English and Continental forms, which, as we have seen, are irreconcilable, entirely unfitted to work harmoniously together with any satisfactory result. Some of the ablest and most distinguished French jurists have pronounced very strongly against the jury trial, as administered in their judicial proceedings.

Without referring to the organization or jurisdiction of the different courts, or to the practice of the inferior tribunals, we will describe the peculiar features of the methods in use in courts of general or higher jurisdiction, the *Cours d'Assises*.

After a preliminary private examination, and decision by a court of higher jurisdiction whether the evidence against a suspected person implicates him sufficiently to warrant a public trial, the case is, upon an affirmative determination, remitted to a *Cour d'Assise* of the department where the crime was committed, for further proceedings. In this court the trial is public, and the prisoner may make his defence either in person or by the aid of counsel. Juries are used in criminal cases only, to decide upon the guilt or innocence of the accused. The court consists of several judges, the chief of whom is called the President, and possesses powers and discharges duties peculiar to his office. The jury are twelve in number. The panel, consisting of sixty names, is drawn by the Prefect of the department in which the court is held, and much opportunity is given to the government, through the President, to influence the choice of jurymen, as he may reject twenty-four names from the whole number, and the prosecuting officer may challenge twelve, while the defendant, or defendants, if more than one are joined in the charge, may object only to twelve. The government may thus strike out three persons to the prisoner's one, and practically control the selection. The foundation of the judicial proceeding, answering to an information laid by an English Attorney-General, is an *acte d'accusation*, prepared by the Procureur-Général, a ministerial officer representing the government, and conducting the prosecution on its part. This *acte* differs largely from our indictment. The latter is scrupulously technical and guarded. It states in legal language and in general terms the crime charged, without any detail or evidence. In setting forth a murder, for example, the effective statements are, that at a certain time and place the defendant, with malice aforethought or premeditated design to effect the death of a particular person, by a certain instrument inflicted a blow upon him from which death resulted, and thus feloniously murdered the deceased. Everything is simple, concise, and to the point, and by an unalterable rule the indictment must be confined to a single offence. The French Code directs that the *acte d'accusation* shall state, first, the nature of the crime which forms the basis of the charge, and, secondly, all the circumstances connected therewith which tend to aggra-

vate or diminish the guilt. The result of these directions is, that the *acte* is regarded by the state's officer as a proper field for the display of his eloquence in composition; it abounds in graphic and picturesque descriptions of the persons and scenes involved in the case; it assumes and states as matters of fact the thoughts conceived by the accused and the victim, and the motives which prompted the deed; it details at length the personal history of the defendant, his advantages and prospects, his temptations and fall; it aggravates the feeling of horror at the crime and condemnation of the perpetrator by violent denunciations and pointed appeals to the jury; in short, it buries the simple complaint in a mass of incident, assumption, argument, and abuse, which destroys entirely the character of the instrument as a calm, grave preliminary statement of the grounds for the proceeding of the government against the person at the bar.

On the trial, the *acte* is first read to the court and jury. The witnesses for the prosecution and defence are then summoned, removed from court, and kept separate, and apart from the trial. Those for the prosecution are first called and examined, in such order as the Procureur-Général may determine, and are followed by the witnesses for the defence. The whole examination and cross-examination are conducted by the President. The French law renders incompetent as witnesses the father and mother of the accused, and all other ancestors in the direct ascending line, sons and daughters and all others in a direct descending line, brothers and sisters, husband and wife, even after divorce, and informers who are rewarded for their disclosures. Informers who receive no recompense are permitted to testify; but their character must be explained to the jury. The rules of evidence resemble rather those of the German system than those of the English. The evidence is not confined to the mere matter in issue, but takes a wide range; embracing not only the testimony of eyewitnesses as to the facts actually seen by them, the description of physical *indicia*, and all other strictly circumstantial or presumptive proof, but even opinions, arguments, inferences, hearsay, and the like.

Our American readers must have been surprised on learning

in the accounts of the late Bonaparte trial in a civil court in Paris, that a letter written by an American residing in France, addressed to Prince Napoleon, purporting to describe the public opinion of the people of the United States in regard to the validity of the marriage between Miss Patterson and her husband, and the motives which led her to the step, was given in evidence by the counsel for the defendant, and commented upon by him in his argument, and that the distinguished advocate for Madame Bonaparte thought it necessary to destroy the effect of this letter by showing the infamous character of the writer by hearsay evidence. With such a mass of irrelevant matter laid before a jury, it would be surprising if their decisions were entitled to much consideration or commanded much respect.

In addition to the testimony of witnesses, the accused himself is interrogated. This examination is conducted by the President. Although the code does not define the character of the proceeding, or prescribe the nature of the questions to be put by the court, yet in practice it is usual for the President to employ all the artifices possible upon a public trial to entrap and defeat the accused. His guilt is assumed in the structure and purport of the interrogatories; browbeating is continually resorted to, unfair advantages are taken, and every means used to discomfit and break down the defendant. His past life is explored, a general investigation made into his character, habits, and pursuits, and of course much elicited strongly tending to prejudice any jury of laymen.

In this proceeding we see nothing to commend, everything to censure. While we advocate the examination of persons on trial as a part of the regular course of a judicial investigation, we insist that it should be conducted in a dignified and solemn manner, keeping the functions of the court separate from those of the prosecutor, and leaving unimpaired the rights and privileges of the prisoner. The official position and duties of a presiding judge, especially in criminal trials, require that he should be removed far above even the appearance of partisanship, that he should hold the scales of justice with stern impartiality between the state and the accused. Where the facts are exclusively left to a distinct tribunal, the judge is to determine

the law without reference to the consequences to either party: with the question of guilt or innocence he has no connection. He is to observe that the proper forms of judicial proceeding are carefully regarded, and he should scrupulously refrain from influencing or attempting to influence the jury in forming their conclusions and arriving at a verdict. The French procedure violates all of these salutary rules. The judge enters the arena as a partisan. In examining the witnesses, and especially in interrogating the prisoner, he is actually engaged in an attempt to procure a conviction. It is immaterial how fair and impartial he may resolve to be, it is impossible for the most elevated, pure, and conscientious officer to resist the tendency to bias which must result from the faithful discharge of these duties, which naturally belong to the public prosecutor. The direct effect upon the jury is even greater than the reflex effect upon the judge himself. When they see before them the spectacle of the highest judicial officer, presiding over the trial, announcing the solemn judgments of the law, yet from his position of advantage engaged in a contest with the prisoner at the bar to entrap him into contradictions, assuming his guilt, addressing him as an actual culprit, and even browbeating him, they are inevitably led to infer the great probability of guilt, whatever may be the character of the proofs offered to them. They catch from the bench the evident leaning of the judges, and their desire for a conviction, and so the accused party is deprived of the very safeguard which its friends so strongly insist that the jury affords to a criminal upon trial.

The influence of this practice upon the prisoner is no less unfortunate. Standing charged by the state with the commission of crime, and in peril of his liberty or life, he should be able to look up to the judge as the embodiment of the majesty of justice, stern perhaps and unyielding, yet giving to him, as well as to the government, his rightful due. He is thus forced to reverence the law and institutions which he has violated, and which convict him, — to kiss the rod which smites him. What then must be his feelings when he sees the high representative of the supreme power in the state, and of the authority of the law, assume the character and office of an inquisitor, and pursue him by every artifice which superior skill

and experience can suggest, to extort a damaging admission and procure a conviction. All respect for the law and the court must vanish, and the criminal, instead of acknowledging the justice of his punishment, must only become more hardened.

When the case is submitted to the jury, they decide by a majority. Should the division be seven to five, the members of the court must also deliberate upon the questions of fact, and are polled, and their vote is added to that of the jury, the decision being that of their united voices. The verdict of the jury may thus be overruled by the votes of the court joined to the minority. The court may also, on their own motion, set aside a verdict which is plainly wrong; and their act is final. Abundant privilege of appeal to higher courts is given to review questions of law.

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ART. IV. — 1. *On translating Homer. Three Lectures given at Oxford.* By MATTHEW ARNOLD, M. A., Professor of Poetry in the University of Oxford, and formerly Fellow of Oriel College. London: Longman, Green, Longman, and Roberts. 1861. 12mo. pp. 104.

2. *Versiones Homeri Anglicæ inter se Comparatæ.* Scripsit DAVID GEORGIUS PENON, Doctor Philosophiæ. Bonnæ: apud Adolphum Marcum. 1861. pp. 60.

THE scholar who reads Homer's Iliad continuously through, with a sufficient knowledge of the language to understand what he reads without stopping to translate, and with an ear sufficiently trained to the hexameter movement to recognize and note its stately march without hesitation, will receive very different impressions from those of the critic who searches for false readings, interpolated passages, and variety of authorship. The first thing that would strike him is the close connection of the different parts of the story. It commences at one of the principal turning-points in the fortunes of the war. The quarrel between Achilles and Agamemnon is introduced by a brief and rapid narration of the circumstances that led

to it, in the most natural manner. While Achilles sulks in his tent, the lesser heroes come forward in turn, and are overmatched in the field by the chieftains of Troy. Agamemnon, Menelaus, Diomedes, and Ajax, after performing surprising deeds of valor, are beaten back, wearied and wounded, with their disheartened men flying, panic-stricken, to the protection of the trench, the wall, and the ships. Patroclus, the bosom friend of Achilles, is allowed to sally forth, clothed in the hero's armor; but at length he meets his doom at the hand of Hector, who, stripping the arms of Achilles from his dead body, fills the Greeks with increasing terror. The death of his friend furnishes to Achilles a sufficient reason for the renunciation of his anger. His mother, the goddess Thetis, procures from Vulcan's forge new and wonderful arms. He resolves on instant action; his reappearance upon the scene puts an end to the triumphs of the Trojans, and we feel that the fate of Hector is sealed. The Trojan leader falls, and his lifeless body is dragged to the Grecian camp, only to be redeemed by the supplications of his aged father, and the poem closes, simply, grandly, and impressively, with the funeral rites of him who was the darling of the city.

These are the leading points in the tale of Troy divine. They occupy a period of between forty and fifty days, selected with consummate tact from the numerous legends and ballad-incidents which had been worked up by previous poets, and which were now reshaped, inspired with new life, and exquisitely adjusted to the great epic plan. These leading points, as the scholar, reading in the manner we have described, inevitably feels, follow one another in a natural order, depend upon one another, and are closely related to one another, each being sufficiently explained, and all absolutely necessary to the completeness of the epic conception. No modern work of poetry or fiction is so perfectly planned as this. The subordinate events are equally natural, and are selected with the same clearness of insight and correctness of judgment, and each finds its place as clearly assigned to it as the parts of an Ionic or Doric temple.

The next thing that would strike a scholar is the perfection in the developing of the characters, and the wonderful skill

the great artist has shown — a skill unsurpassed even by Shakespeare — in maintaining them consistently through every variety of situation and action. Homer never draws a character; he makes his heroes speak and act, and it is from their words and deeds that we are made to know them, as we know the men and women of real life. Multitudes of inferior personages come and go, saying and doing more or less; and, however little we see of them, they seem to us real creatures of flesh and blood. But the heroes of foremost rank — Agamemnon, Menelaus, Diomedes, Ajax, Ulysses, Nestor, and that greatest of all the heroic creations of epic poetry, Achilles — move before us, each from the beginning perfectly individualized, and each requiring many and various actions in the field and positions in council to display all his characteristic traits, and to make us intimately acquainted with the full circle of his personal qualities. To pass over the others for a moment, let us look at Achilles. This hero had doubtless figured in the earlier rhapsodies of the singers as a doughty fighter, and but little more, like the champions in the old Spanish or German ballads. But when the singer of the Iliad introduced him into his epic scheme, he unfolded from the simple ballad-conception a character of the most wonderful strength and variety of heroic qualities. Achilles is the strongest of the strong and the bravest of the brave. He is generous, but easily roused to anger by falsehood or injustice, and when roused he gives vent to his indignant feelings in unmeasured language of reproach and defiance. But he has a capacity for warm and devoted love, equal to any sacrifice, even that of life itself, in giving it expression. He loves the captive Briseis, whom Agamemnon has ruthlessly taken away. His love for Patroclus is manifested in their daily life, and by tears and lamentations over him after he has fallen. It persuades him to renounce his wrath, and to resume the war, though he knows it will cost him his life. Drying his tears, he summons back the fiercer passions, and deals death on all sides around him. Having slain Hector, he goes to the very verge of brutality in maltreating his fallen foe, but stops short of what in the height of his anger he had intended to do. The spectacle of the gray-headed Priam falling at his

knees and supplicating for the body of his son calls out again the latent tenderness of his heart. All these successive situations are necessary to round out this consummate character, and to make it complete; and we do not fully know Achilles until we have seen him in them all. Violent passions are perfectly consistent with the most generous qualities, terrible vehemence with tender devotion. Crowning all appears a fearless love of truth, which he dares to utter at any moment, in any presence, at any hazard. And it tells something to the honor of the Grecian race, that it was their favorite hero, their glorious type of youthful strength, perfect beauty, and matchless valor, in whose mouth Homer placed the immortal words, —

> "Who dares think one thing, and another tell,
> My soul abhors him as the gates of hell."

And not only is the Homeric Achilles the favorite model of all that is noble in the youthful hero, but the artists tried their best to embody the conception of Homer in visible forms. The head of Achilles in the famous picture found at Pompeii, representing the departure of Briseis from his tent, is the noblest work of painting that has come down to us from antiquity. Every visitor to the Museo Borbonico in Naples will be arrested by its superb and fiery beauty, and will confess that the poet found in the artist a worthy interpreter; and every student of Pompeian antiquities will remember the exquisite engraving of this head in Sir William Gell's Pompeiana.

The next impression that our scholar will receive is that of the uniform perfection of the rhythm. It flows on as if it were a product of nature, — as easily, as inevitably as the breeze moves over the face of the earth, or the stream flows through the changing landscape into the boundless sea; and it is as various in its progress as the wind or the wave. At one moment it moves soft and gentle; at another, it echoes the roar of the torrent or the many-sounding waves of the sea; at another, the howling storm that tears the sails to tatters, and then the foaming breakers that cast their spray over jutting headlands, or the swelling purple of the distant deep. The moonlit night, and the rising sun, and the shadowy approach of even-

ing, — the rush of battle, the clang of bows, the flight of arrows, the clashing of arms over the bodies of fallen heroes, — find in this singularly varying rhythm the most subtile and delicate adaptations, not only of sound to sense, but of motion to imagery, passion, and thought. Every line is complete, and every word is selected with unerring precision, and is the word that is wanted. The placing of the words, too, is refined and artful in the highest degree, and it is impossible to change the order without marring the rhetorical as well as the rhythmical effect. You might as well alter the proportions of the Parthenon or the Niké Apteros. Any competent judge may convince himself of this by reading a dozen lines aloud. How did this consummate mastery come about? What sort of person was Homer? He says nothing of himself, and in saying nothing he says all. He was a man of eagle glance, beholding everything and forgetting nothing; his health was robust, while his organization was delicate, and open to vivid impressions from every aspect of nature and every act and aspect of man. He had travelled along the shores of the Ægean Sea, and over the lands of Greece; he had visited the Cyclades and Sporades, and the Western Isles as far as Corcyra; he knew Phœnicia well, and had probably sailed up the Nile. He was familiar with the horse and the dog; he could guide the car, and work the ship, in which he knew every rope, and all the arrangements from stem to stern. Forest and tillage he had looked upon with loving eye, and perhaps had ploughed the field and felled the tree. All the arts of war and peace were within the compass of his minute and practical knowledge. Added to these was a purity of thought so remarkable, that, with the exception of two or three short passages, the whole of both his poems may be read aloud to the most refined assembly of men and women; and these exceptional passages are not vicious and prurient, but only plainer than the decorum of modern manners allows public speech to be.

With all these substantial resources under his perfect control, he wrought upon his subject, using them with unerring taste. But he wrought again and again, year in and year out, removing every fault, correcting every imperfec-

tion, binding the parts closer and closer together, giving new touches to every character, fresh meaning to every line, and increased force to every construction, until the marvellous work was as nearly perfect as human genius in its happiest hours and deepest studies could make it.

Our scholar, reading in the manner we have described, will have yet another impression. He will see that similar excellences occur at distant intervals. The noblest passages in Homer are those which deal with the tender affections and pathetic emotions; and of these the most remarkable are the meeting and parting of Hector and Andromache; the lament over Patroclus; the prayer of Priam for the restoration of Hector's body; the lament over Hector as he is brought back to the city; and the funeral rites performed in his honor. Of these five passages, two are of unapproachable excellence, — the scene between Hector and Andromache, and the visit of Priam to the tent of Achilles. It is not easy to decide which of these two immortal passages is entitled to the foremost rank of all poetry. We incline to give the pre-eminence to the interview between Priam and Achilles; and yet we know of nothing out of Homer equal to the parting. Now these passages are very different, but wrought with the same power, truth, and depth of feeling; the same completeness of expression; the same unflagging sympathy; the same heart as well as head; the same rhythmical perfection of adaptation to the varying moods of passion and emotion. They belong to widely separated portions of the Iliad, and bind them together by similarity of interest, identity of power over the heart, and the closest resemblance in the mastery of the poetic art. Such was the man Homer, and such are his works. To the scholar, reading in the manner we have described, there is no dividing of the authorship, there is no resolving of the personality possible.

These brief and rapid remarks are preliminary to a few observations we propose to make on the little work of Mr. Arnold. The subject of translating Homer is a most attractive one to a scholar, and Mr. Arnold has handled it not only with learning, but with taste and good sense. His remarks and criticisms upon the genius, the language, and the man-

ner of Homer are founded upon careful study, and are marked by a just appreciation of the solid qualities of the old Ionian. He says truly at the outset, that the poetry of Homer is "the most important poetical monument existing." The following passage contains some of the author's advice to the translator: —

"First of all, there are certain negative counsels which I will give him. Homer has occupied men's minds so much, such a literature has arisen about him, that every one who approaches him should resolve strictly to limit himself to that which may directly serve the object for which he approaches him. I advise the translator to have nothing to do with the questions, whether Homer ever existed; whether the poet of the Iliad be one or many; whether the Iliad be one poem or an Achilleis and an Iliad stuck together; whether the Christian doctrine of the Atonement is shadowed forth in the Homeric mythology; whether the Goddess Latona in any way prefigures the Virgin Mary, and so on. These are questions which have been discussed with learning, with ingenuity, nay, with genius; but they have two inconveniences; one general for all who approach them, one particular for the translator. The general inconvenience is, that there really exist no data for determining them. The particular inconvenience is, that their solution by the translator, even were it possible, could be of no benefit to his translation.

"I advise him, again, not to trouble himself with constructing a special vocabulary for his use in translation; with excluding a certain class of English words, and with confining himself to another class, in obedience to any theory about the peculiar qualities of Homer's style.

. . . . .

"The frame of mind in which we approach an author influences our correctness of appreciation of him; and Homer should be approached by a translator in the simplest frame of mind possible. Modern sentiment tries to make the ancient not less than the modern world its own; but against modern sentiment in its applications to Homer, the translator, if he would feel Homer truly, — and unless he feels him truly, how can he render him truly? — cannot be too much on his guard. For example: the writer of an interesting article on English translations of Homer, in the last number of the National Review, quotes, I see, with admiration, a criticism of Mr. Ruskin on the use of the epithet *φυσίζοος*, 'life-giving,' in that beautiful passage, in the third book of the Iliad, which follows Helen's mention of her brothers Castor and Pollux as alive, though they were in truth dead: —

ὣς φάτο· τοὺς δ' ἤδη κάτεχεν φυσίζοος αἶα
ἐν Λακεδαίμονι αὖθι, φίλῃ ἐν πατρίδι γαίῃ.*

'The poet,' says Mr. Ruskin, 'has to speak of the earth in sadness; but he will not let that sadness affect or change his thought of it. No; though Castor and Pollux be dead, yet the earth is our mother still, — fruitful, life-giving.' This is just a specimen of that sort of application of modern sentiment to the ancients against which a student, who wishes to feel the ancients truly, cannot too resolutely defend himself. It reminds one, as, alas! so much of Mr. Ruskin's writing reminds one, of those words of the most delicate of living critics: 'Comme tout genre de composition a son écueil particulier, *celui du genre romanesque c'est le faux.*' The reader may feel moved as he reads it; but it is not the less an example of 'le faux' in criticism; it is false. It is not true, as to that particular passage, that Homer called the earth φυσίζοος because, 'though he had to speak of the earth in sadness, he would not let that sadness change or affect his thought of it,' but consoled himself by considering that 'the earth is our mother still, — fruitful, life-giving.' It is not true, as a matter of general criticism, that this kind of sentimentality, eminently modern, inspires Homer at all. 'From Homer and Polygnotus I every day learn more clearly,' says Goethe, 'that in our life here above ground we have, properly speaking, to enact hell';† — if the student must absolutely have a key-note to the Iliad, let him take this of Goethe, and see what he can do with it; it will not, at any rate, like the tender pantheism of Mr. Ruskin, falsify for him the whole strain of Homer.

"These are negative counsels; I come to the positive. When I say, the translator of Homer should above all be penetrated by a sense of four qualities of his author: — that he is eminently rapid; that he is eminently plain and direct, both in the evolution of his thought and in the expression of it, that is, both in his syntax and in his words; that he is eminently plain and direct in the substance of his thought, that is, in his matter and ideas; and, finally, that he is eminently noble; — I probably seem to be saying what is too general to be of much service to anybody." — pp. 5 – 10.

Homer stands at the head of the European culture, not only in point of time, but in point of excellence. Four or five poets only constitute the first class in all literature, and highest in that class, by the universal consent of the civilized

* Iliad, III. 243.

† Briefwechsel zwischen Schiller und Goethe, VI. 230.

world, rises the author of the Iliad and Odyssey. We say the author, and not the authors, because the fantastic theory so prevalent a few years ago is exploded on critical grounds, besides those we have above suggested, never again to be revived by any scholar of sound and disposing mind. We are glad to see that Mr. Arnold assumes the unity of authorship as scarcely admitting a question.

No doubt the Iliad and Odyssey were preceded by shorter poems or lays, resembling in their general character the modern ballads; but when German literary scepticism undertook to show that the Iliad and Odyssey were nothing more than a series of such ballads, produced by a hundred nameless bards, and put together centuries afterward by the critics of a more literary age, the task they took upon themselves was as absurd and impossible of execution, as it would be to prove that the Apollo Belvedere and the Medicean Venus were moulded into their present forms of perfect harmony and loveliness by the fortuitous concurrence of marble atoms.

It was a most happy circumstance that European literature commenced under the controlling influence of such a master. We know Homer, as we have already said, not through the vague traditions that have gathered round his name, but by his works alone. We know that he was an Ionian Greek; we know that he was endowed with the richest gifts of sense, intellect, and heart; we know that he lived in the midst of the loveliest scenes in nature, both by land and sea; and we know that his high faculties were in perfect harmony with the fresh and beautiful world that surrounded him. Further than this, we know that he had a language of wonderful compass, power, and flexibility at his supreme command. He had also the heroic traditions of great ancestors for the theme of his song, and susceptible and enthusiastic audiences to listen whenever he appeared before festal assemblies or in princes' halls. He was personally familiar with every aspect of nature and every form of human life, and every kind of knowledge possessed by men in that primitive but highly intellectual age. His power of poetical representation was never at fault. His taste was not perverted by the affectations of artificial society, or the whims of secluded scholarship. Addressing himself to living

men, he could not be far-fetched or obscure in his expression. His hearers were eager listeners to the incidents of his story, and he could not be slow or dull. He lived an out-of-door life, and therefore his brain was clear; and his imagination, while brilliant and effective, was subdued to a certain temperance by the controlling presence of truth and of visible forms. And so it happened that this great genius created the epic poem, and in creating it gave to the world the two poetical monuments which in their way have never been equalled.

Many attempts have been made to translate the Iliad and Odyssey into the modern languages; but all of them have been failures to a greater or less extent, because it is difficult to translate the ancient world in which Homer lived and moved by a modern representation of it. For the most part, even scholars cannot wholly realize to themselves the primitive classical ages. To appreciate them even imperfectly is the work of study and culture, and the impressions thus gained are like those made by a description of an historical scene as compared with actually witnessing it. In the next place, no modern language has a poetical measure that fairly represents the Homeric hexameter, — a measure which, for variety, flexibility, and flow, is beyond all question the highest achievement of poetical art. No ballad-measure, as Mr. Arnold conclusively shows, can give any adequate idea of the energy, majesty, and sweetness of this wonderful organ. Attempts have been made to write English hexameters; the Germans, since the time of Klopstock and Voss, have used the hexameter familiarly, and the modern Greeks have lately endeavored to reproduce it in their present language. But all modern hexameters are constructed according to accent, and not according to quantity, whereas quantity in the ancient hexameter was the essential element, without which no such thing as measure existed. There is between accent and quantity the same difference that there is between saying and singing. The most that can be urged in behalf of the modern hexameter is, that it produces an effect analogous to that of the ancient. Even upon the principle of accent, it is impossible to combine dactyls and spondees in such a manner as to give anything equal to the variety of the ancient metre. We have not in

the modern hexameters series of dactyls and spondees, but only — to use the language of metrical science — logaœdic dactyls, just as the anapestic measures into which modern languages naturally run are all series of logaœdic anapests. And yet we agree with Arnold in thinking it very desirable that the Iliad and Odyssey should be translated into English hexameter.

The English translators of Homer best known in literature are, of course, Pope and Cowper. None of their successors have yet attained the same celebrity. Pope's translation is in the English heroic couplet, and Cowper's in ten-syllable blank verse. Sotheby has endeavored to add to the heroic couplet the verbal fidelity of Cowper. A translation of the Iliad was made by the late Mr. Munford of Virginia in blank verse, which is generally excellent, and in passages superior to Pope, Cowper, and Sotheby. This translation appears to be unknown to Mr. Arnold, but it is worthy of a more extended recognition than it has yet received in English literature. In a former number of this journal, we gave an account of Mr. Munford and his literary labors, comparing his translation of the Iliad with those of the other writers we have mentioned.* Mr. Arnold discusses the merits also of two new translations; one by Professor Newman, and the other by Mr. Wright, known favorably as the translator of Dante. Dr. Maginn, an eccentric but very able man, furnished to Fraser's Magazine a series of passages from Homer, rendered in several ballad metres. These, for the most part, are ably executed; but nothing can show more completely the fallacy of the ballad theory to which we have alluded, than the evident unfitness of any one of these measures for a translation of any considerable portion of the Iliad or Odyssey. The result of the experiment of Dr. Maginn amounts to just this, that several short passages of these epics contain subjects which may, by themselves, be treated in the ballad manner; but taken out of their connection, and handled in this way, they become ballads, and cease to be epic fragments of Homer. There is the same difference between these ballads of Dr. Maginn and Homer's

* North American Review, Vol. LXIII. pp. 149–165.

Iliad and Odyssey, that there would be between a waltz founded upon an air taken from a sonata of Beethoven and the original work of that great musical composer.

Mr. Arnold points out with admirable skill the faults of these translators, and the defects of the metres they have adopted. It is singular that Mr. Newman has taken the measure of the modern Greek Klephtic ballad, and has furnished another illustration how inadequate any ballad measure is to represent the Homeric hexameter. In the Klephtic ballad it is very effective, as in that singularly beautiful one called "Charon and the Ghosts," or in "Olympus and Kissavos," or "Tsamados," or "Constantine and Arete." But the modern Greeks have no epic poem, although Mr. Newman calls this their epic measure, and it is doubtful whether, if a great epic genius should arise in the land of Homer, he would adopt this measure, familiar as it is to the nameless ballad-singers of Olympus, Parnassus, and Agrapha. Mr. Arnold pronounces in favor of the English hexameter, which has been tried by several able scholars already to some extent. The first and twenty-fourth books of the Iliad have been translated in this measure by a writer in Blackwood's Magazine; another writer, some time ago, published six books; Dr. Hawtrey, the Provost of Eton, has tried his hand in rendering two noble passages of the Iliad in this measure; and Mr. Arnold himself gives us some specimens of his own skill.* These tasks are executed with various degrees of skill. They are all well done, but they all read like tasks which able scholars have resolutely set themselves to perform, without the continued, spontaneous flow of Homer, which sways this way and that, as freely as the waves of the Ægean Sea. Some of the lines move easily enough; but there are no ten lines together which we could read aloud without making a wry face at one of them. The sixth line of Mr. Arnold's model passage is as follows: —

* The modern Greeks themselves, who have lost the musical element of quantity, have attempted accentual hexameters, both in original poems and in translations of Homer. Professor Rangabe, one of the ablest Athenian scholars of the present day, has introduced accented hexameters in the tragedy of Φροσύνη, and Professor Orphanides has written in the same verse a successful prize poem, entitled "Anna and Phloros, or the Tower of Petra." In his Preface he warmly praises Mr. Rangabe's attempts to revive this "immortal measure."

"For than man, indeed, there breathes no wretcheder creature."

In the most pathetic passage in the interview between Hector and Andromache, we have such lines as

"It will come when sacred Troy shall go to destruction."

"And yet not that grief, which then will be, of the Trojans."

And the speech closes with the two following lines: —

"But let me be dead, and the earth be mounded above me,
Ere I hear thy cries, and thy captivity told of."

In giving a prose translation of another passage, Mr. Arnold uses the word "munching" as the equivalent of the Greek ἐρεπτόμενοι, used by Homer in describing the horses eating their white barley and rye. This is inconsistent with his own canon upon the uniform nobleness of Homer's language even in the plainest passages; to munch being not only plain, but ludicrous, as we see in Shakespeare's witches.*

With most of Mr. Arnold's remarks we heartily agree; but we think he goes too far in rejecting or modifying the Homeric epithets, which form a very characteristic feature of the Homeric style. It is no sufficient objection to their use to say, that they would strike a mere English reader as singular, since they are always happily descriptive of the objects to which they are applied. For instance, he says: "Instead of rendering Θέτι τανύπεπλε by Mr. Newman's 'Thetis trailing-robed,' which brings to one's mind long petticoats sweeping a dirty pavement, the translator must render the Greek by English words, which come as naturally to us as Milton's words when he says,

'Let gorgeous Tragedy with sceptred pall come sweeping by.'"

We object to this remark, because Mr. Newman's epithet, "trailing-robed," is a true version of the original, and reminds us, not of "long petticoats sweeping a dirty pavement," but of the gracefully flowing robes of the Wingless Victory at Athens, and many of the ancient statues which fill the British Museum and the Vatican, and with which cultivated English people, such as will read a translation of Homer, must be sup-

* "1 *Witch.* A sailor's wife had chestnuts in her lap,
And mounched, and mounched, and mounched."

posed to be familiar. These very epithets of Homer, which Mr. Arnold would suppress or alter, furnished to the Greek sculptors the hints and suggestions for those works which are the unapproachable models of grace and beauty.

It is but fair, after these criticisms, to give an entire passage of Mr. Arnold's hexameters. It shall be Hector's reply to Andromache, who has besought him to remain in the city and defend the walls: —

"Woman, I too take thought for this; but then I bethink me
What the Trojan men and Trojan women might murmur,
If like a coward I skulked behind, apart from the battle.
Nor would my own heart let me; my heart, which has bid me be valiant
Always, and always fighting among the first of the Trojans,
Busy for Priam's fame and my own, in spite of the future.
For that day will come, my soul is assured of its coming,
It will come, when sacred Troy shall go to destruction,
Troy, and warlike Priam too, and the people of Priam.
And yet not that grief, which then will be, of the Trojans,
Moves me so much — not Hecuba's grief, nor Priam my father's,
Nor my brethren's, many and brave, who then will be lying
In the bloody dust, beneath the feet of their foemen —
As thy grief, when, in tears, some brazen-coated Achaian
Shall transport thee away, and the day of thy freedom be ended.
Then, perhaps, thou shalt work at the loom of another, in Argos,
Or bear pails to the well of Messeïs, or Hypereia,
Sorely against thy will, by strong Necessity's order.
And some man may say, as he looks and sees thy tears falling:
*See, the wife of Hector, that great pre-eminent captain*
*Of the horsemen of Troy, in the day they fought for their city.*
So some man will say; and then thy grief will redouble
At thy want of a man like me, to save thee from bondage.
But let me be dead, and the earth be mounded above me,
Ere I hear thy cries, and thy captivity told of." — pp. 97, 98.

Now let us give our own idea of the qualifications indispensable to a translator of Homer.

The translator of Homer, in the first place, must be thoroughly familiar with every word of the original. He must have studied the whole until its nobleness and grandeur have become a part of his intellectual being; and then — a qualification to which Mr. Arnold nowhere alludes — he should have studied with equal thoroughness the nature in the midst of which Homer lived, and from which he drew his inspiration;

He should have travelled over the mountains and through the valleys of Greece, sailed along the shores and among the islands of the Ægean Sea, watched the sparkling play of the waters curling around the headlands of Asia Minor, listened to the multitudinous sweep of the "boundless Hellespont" up the sandy beaches of ancient Troy. He should have seen the mounds of ancient heroes, which still stand like warders along the coast, and bear silent witness to the truth of the ancient poet. He should have looked from the roadstead where lay the Grecian fleet, over Imbros, to the heights of Samothrace, whence Neptune saw the ships and shore. He should have sailed, like Ulysses, round Cape Malea, and been driven by waves and currents far outside of Cythera, while striving to thread the narrow passage between the chosen seat of Aphrodite and the mainland of Southern Greece. He should have seen the sun rising above Gargarus and Ida, and striking the Trojan fields, and night after night should have watched the stars as they shine conspicuous around the moon, the woods and the forelands coming into their light, and the "unspeakable ether" opening its depths, while the shepherd rejoices in his heart. He should have seen the mountain torrent swollen by sudden rain, and sweeping all before it. He should have seen the deep harvest swaying under the zephyr. And having studied this natural and living commentary upon the poems of Homer, having thoroughly imbued his spirit with the coloring of those classic scenes, and having mastered all the knowledge that was in the mind of Homer, he will then be convinced that an adequate translation of Homer into any modern tongue is, if not an impossibility, one of the highest and most difficult literary tasks that still remain unperformed.

The essay by Dr. Penon reached us after the preceding pages were written. It is a scholarly and able contribution, showing not only familiarity with Homer, but an unusual knowledge of the English language and literature. Dr. Penon limits himself, however, to the examination of three of the English translations, those of Chapman, Pope, and Cowper, giving only a passing notice of Hall, Hobbes, and Ogilby, and taking no notice at all of Sotheby and Munford. He opens the discussion with brief accounts of the lives of the three great poets, and

very judicious estimates of their poetical characters and their position in English literature; and then he institutes a series of interesting and instructive comparisons, by citing some of the most celebrated passages, in the original and as rendered by these translators. For the most part his criticism is excellent, especially for a foreigner; but in a few instances, whether owing to this or some other circumstance we cannot tell, we must hold him to be in error. We think he exaggerates the merits of Chapman's version, both as a poem and as a representation of the original. The comments of Mr. Arnold, in our judgment, come much nearer the truth. For example, Dr. Penon says of Chapman's translation of verse 116, Book XXIII.: "Qui quam vere rem ipsam depingat neminem profecto fugit, aptissime sic reddit:

'Up hill, and down hill, overthwarts, and break-neck cliffs they passed.'"

It is true that the original is a good instance of the *onomatopoesis Homerica*. But what is the poet describing? Agamemnon has sent mules and men up the heights of Ida, to bring wood for the funeral pyre of Patroclus. They hastened to their task in various directions, mounting the slopes, descending into ravines, following the paths that wound round among the forests, rocks, and slopes. All this the line expresses:

Πολλὰ δ' ἄναντα, κάταντα, πάραντά τε, δόχμιά τ' ἦλθον.

*And they went through many places, uphill, downhill, sideways, and winding ways.* There is nothing break-neck about the work. When they reached the proper places, they proceeded to cut down the "high-branching oaks," which crashed as they fell; and the mules dragged them down to the shore, where Achilles designed a great cairn for Patroclus.

Dr. Penon cites Agamemnon's address to the priest, Chryses, in the first book, of which he says: "Unum Chapmanum hoc loco satisfecisse puto"; and selects for special commendation the English word *dotard*, as an exact equivalent for γέρον, "quippe in quo notio ironiæ cujusdam et derisionis insit." We doubt much whether the word has any touch of irony and derision. The speech is an angry and threatening one; but the passion of the speaker is in the tenor of the address, and is not embodied in the γέρον, which merely means *old man*,

or *graybeard*, and is applied very often by Homer in the most respectful manner to Nestor, Priam, and other ancient sages and counsellors. Six lines only after that in question, where the poet resumes his narrative, the same word, applied to the same person, occurs again :

ὣς ἔφατ' · ἔδδεισεν δ' ὁ γέρων, καὶ ἐπείθετο μύθῳ.

Suppose we translate it in the same way :

" So he spoke : and the *dotard* feared, and obeyed the word."

The impropriety of the rendering is at once obvious.

In speaking of the metres selected by the translators, Dr. Penon says : —

" Ac profecto cum omnino *lingua Anglica ita comparata sit, ut hexametrum Homericum nullo modo admittat*, illud metrum quod Chapmanus ad vertendam Iliadem sibi elegit, proxime accedit ad hexametrum, multoque magis huic conveniens est quam versus iambici quinque ex pedibus constantes quos in vertenda Odyssea adhibuit."

The writer says nothing of any of the attempts at English hexameters, some of which, with the qualifications we have made in our previous remarks, are very successful. The descent of Apollo, in the first book of the Iliad, as rendered by the writer in Blackwood ; the speech of Priam in the tent of Achilles, by the same translator, in the twenty-fourth book ; the passage rendered by Dr. Hawtrey, which is quoted by Mr. Arnold ; and the opening and the closing lines of Longfellow's Evangeline, — are a sufficient refutation of Dr. Penon's dogmatic assertion that the English language is incapable of the hexameter.

The failure of Pope to reproduce the fidelity of Homer to nature, and especially to the grand and beautiful forms of nature upon the islands and shores of the Ægean Sea and the Grecian mainland, is not touched upon by the accomplished critic whose work we are considering. This fidelity is what Wood calls the " original genius " of Homer. It is the source of perpetual delight to him who reads the Iliad and the Odyssey in the midst of those classic and immortal scenes ; and the want of it is one of the chief faults of Pope's version. Homer's poetry is eminently out-of-door poetry. It was composed under

the free air of heaven. Woodlands and cornfields, mountains and valleys and torrents, sun, moon, and stars, were the poet's companions. Pope was a man of the study, of sickly frame and finical habits, unable to bear fatigue. He never harnessed a horse or pulled an oar. He knew nothing of the sea, except from books. He had never sailed over it, or bathed in it, or watched its multitudinous waves sweeping against a headland, or its changing colors under the morning or evening sky. With all his delicate genius, his sense of harmony, his command of polished versification, there was still a lack of several prime requisites in the translator of Homer, such as we have enumerated in our ideal of that still missing character.

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ART. V. — 1. *Singularités Historiques et Littéraires.* Par B. HAURÉAU. Paris: Michel Lévy Frères. 1861. 12mo.

2. *Scot Erigène et la Philosophie Scholastique.* Par M. SAINT-RENÉ TAILLANDIER. Strasbourg et Paris. 8vo.

3. *Veterum Epistolarum Hibernicarum Sylloge.* (Vol. IV. of Archbishop Usher's Complete Works. Dublin. 1847. 8vo.)

4. *Acta Sanctorum veteris et majoris Scotiæ, seu Hiberniæ Sanctorum Insulæ.* A. Joann. Colgan. Lovanii. 1645. Folio.

WE were ransacking a package of French books, just landed from the steamer, when we discovered, snugly ensconced under the posthumous works of poor Bordas-Demoulin, a small unpretending duodecimo bearing the initials of Barthelmy Hauréau. That name, so eminent in the annals of modern erudition, the cognomen of one whose learning is so deep and extensive that he has been called "the last of the Benedictines," was sufficient of itself to command our attention, to the exclusion of all the rest. Judging from the title and appearance, a casual observer would have decided the volume to be simply one of the many blue-covered novels, or light essays, which the Brothers Lévy are daily adding to their

library of current literature. A mere glance at the table of contents, however, would have soon convinced him that he held a collection of erudite monographs, such as in bygone times the most noted scholars were wont to publish in France and Germany. Nor should we blame M. Hauréau — or rather his publishers — for thus innocently deluding the public. Our readers are aware that M. Hauréau has always been a stanch republican, who had made himself feared and admired as a political writer long before he entered the more peaceful walks of criticism and philosophy. After editing several democratic papers in Paris, and serving a term in the Constituent Assembly of 1848, he had relinquished politics for literature, and accepted an important office in the National Library, when Louis Bonaparte succeeded in overthrowing the republic. Though wholly dependent on his salary to support himself and family, M. Hauréau at once resigned it, rather than take the oath of allegiance to the perjurer who had destroyed the liberties of his country. He then betook himself to writing, translating the classics for Didot, popularizing historical subjects for Michel Lévy, and continuing in Latin for the world at large that magnificent hagiography, commenced by the Benedictines, and universally known as the *Gallia Christiana*. Authors as a rule are subjected to a kind of tyranny which claims at their hands a vast deal of abnegation and fortitude. They are not at liberty to follow their own inclinations, but must yield to the wants of the public and the dictates of booksellers. The startling title that will attract attention; the work containing requisite answers to the manifold questions daily propounded by the majority of readers; in fine, the book which may surely command a market and a fair price, — alone finds grace with publishers in general. M. Hauréau could not escape these dire necessities; and dire they certainly are to one who, after devoting years to original researches, investigating the greatest questions ever mooted by historical scholars, and attaining a degree of erudition which stands unrivalled, is compelled, as it were, to disguise himself, and deceive the public in order to have his works printed and read. Hence several volumes of his which appear side by side with those of George Sand and Mürger.

We need not add, that his writings make a very strange figure in such mixed company, though losing nevertheless none of their importance and merit as works of great interest and unquestionable learning.

The book we were so glad to find in that long expected parcel, and which forms the subject of this article, bears the title of "Historical and Literary Singularities." The latter word must not be taken in its literal sense, although "Singularité" in modern French is perfectly synonymous with our English "Singularity," but in its obsolete acceptation; namely, that of monograph. The work, then, contains a series of essays, mostly devoted to historical characters of the Middle Age, imperfectly known and deserving to all appearance the obscurity which has so long surrounded their names, works, and history, Roscelin alone excepted. These monographs seem to have been compiled from a superabundance of notes taken by M. Hauréau, while preparing his celebrated prize essay on the Scholastic Philosophy. Notwithstanding their incontestable merit, we should probably not have called the attention of our readers to the volume which contains them, were it not for one devoted to a subject of interest to many of us, and treated in a manner novel and instructive. This favorite chapter treats of the Irish Schools of Philosophy and Literature, from the sixth century down to Scotus Erigena.

Strange as it may appear, in the sixth century there was a region of the Old World where a multitude of young Christians were taught to read and admire Homer and Virgil. As M. Hauréau justly remarks, this is probably the most important and curious fact to be found in the early history of European literature. Who were the first teachers of the Irish? Juvenal asserts that the Gauls transmitted to the Britons many precepts of rhetoric. It is probable that the Britons, in their turn, imparted them to the Scots.* Besides, we have evidence of some young Scots who in early times frequented the best schools in Gaul, and diffused on their return home the treasures of learning and eloquence acquired on the Continent.

* In early times, Ireland, as well as Scotland, was known under the name of *Scotia;* and the inhabitants of both countries were called indiscriminately *Scots* or *Scuits;* meaning, the "wanderers" or "refugees."

We know that St. Patrick was a Gallo-Roman, educated in the monastery of Lerins; and it is equally certain that in the latter part of his life he intrusted a mission, wholly of a literary character, to his favorite disciple, Olcan. St. Olcan was to study under the great Gaulish doctors, gather the precepts of profane and sacred science, and, when he should return to the shores of Erin, open public schools, *publicas scholas*, for the especial benefit of Irish monks and bishops. This was in the middle of the fifth century, and although hordes of barbarians had frequently overrun the Gauls, laying waste everything before them, yet a few cities escaped their unholy devastations. Marseilles was then the most learned city in the Western world, the only one where Pope Celestin could find an interpreter to translate a letter written to him in Greek by Nestorius. Soon afterward, however, from the Rhine to the Pyrenees ignorance and barbarism wholly prevailed. Ireland alone, protected by the sea, remained free from foreign invasion, but became the scene of bloody feuds between rival princes. It was in the year 795 that the Danes first set foot on the shores of Hibernia. Thus, until the end of the eighth century, the stores of erudition collected in Gaul by the Scots escaped all damaging influence. While throughout the Roman world even the elements of Latin grammar were entirely forgotten, the schools of Ireland stood intact and flourishing; freely dispensing to numberless pupils, not only the rules of Latin poetry, but of Grecian eloquence and philosophy.

Ireland was the last refuge of letters. When British noblemen and clerks wished to shake off the yoke of ignorance, they crossed the strait, and were matriculated in the Irish schools. This is related by the Venerable Bede of Ægilvin, who afterward became Bishop of Lincoln. Alfred, King of the Northumbrians, once undertook a similar pilgrimage. To become learned was his earnest wish, and Ireland seems to have been the only country in which he could acquire the requisite knowledge and wisdom. By a strange revolution in the course of events, the Gauls themselves were constrained to seek in Ireland, and to gather from their old pupils, the sciences which they had lost. Agilbert was one of these Gauls, and when he went home in 664, he so greatly astonished the

Church of his native land with the wondrous extent of his imported knowledge, that he was made Bishop of Paris. The passage in which a British scholar of the seventh century celebrates the literary fame of Ireland is rather curious. "Whole fleets carry thither legions of British students; their eagerness knows no bounds," and so on for a page or more.* Our readers must not suppose that this emphatic language is limited to writers of poetry and fiction. The more sober works of history are equally laudatory when speaking of the celebrated schools of Lismore, Hy, Bangor, Clonfert, Clonard, and especially Armagh, where there were no less than seven thousand pupils.

We know less of the Irish masters in their own country than of their efforts abroad. From the end of the sixth century to that of the ninth, England, Gaul, Germany, Italy, and even Spain, received the visits of many Irish missionaries. They were poets, literati, and monks strangely clad, who, blending religion with a kind of literary apostleship, disturbed the Church by imparting novel and subversive precepts. Although repulsed on almost all sides, after having been warmly welcomed, they may be said to have left traces even where they sojourned but a little while.

One of the most illustrious of these apostles was St. Columban, a pupil of the monastic college of Bangor. He first appeared at the court of Gontran toward the year 590, accompanied by twelve friars of his own nation. Gontran kindly granted them leave to settle in any part of his dominions. They then went in search of a solitary place; and, with that instinctive taste which the Irish generally have for wild scenery, they selected a secluded spot in the Vosges. There, in the midst of rocks and forests, rendered still more picturesque by the scattered vestiges of Roman civilization, they erected the monasteries of Annegray and Fontaines, and especially that of Luxeuil, which was destined not only to become the most important in Gaul, but, if we may judge from divers charters granted by popes and kings, the freest and the proudest of its

* "Catervatim istinc lectores classibus advecti confluunt, . . . . . Hiberniæ rus discentium opulens vernansque pascuosa numerositate lectorum, quemadmodum poli cardines astriferis miscantium ornantur vibraminibus siderum."

franchises. Some time afterward, Columban was requested to visit the dissolute court of King Thierry, where in the presence of all he boldly reproved him for his vices and iniquities. Brunehaut, the bloody queen, to satisfy her rancor, cruelly persecuted him; but he contrived to escape; and some years later we find him, with St. Gall, Magnoald, and Theodore, all Irishmen, laboring against Paganism in Germany, and beyond the Alps, where he founded among the Lombards the monastery of Bobbio.

Usher and Augustin Thierry maintain that the old Irish monks led in regard to the Romish Church a very independent life, bordering on heresy. Other historians hold a contrary opinion. Be that as it may, it is unquestionable that on many points of religious doctrine they advocated tenets totally opposed to Roman Catholicism. When, in the ninth century, Louis the Benevolent was travelling through Brittany, he gave audience to several monks from Landevenech. They were so oddly clad and tonsured that the king could not repress his surprise. They stated that their monastic traditions came from the Scots in Ireland. Nothing could convince the Catholic King, who enjoined them to set aside the skins of wild beasts which they wore, and to renounce the rules, strongly tinctured with Paganism, which they followed.

We still possess the regulations prescribed by Columban. They seem to have been devised for an association, not of monks, but of philosophers; free from ascetic practices, though advocating austere maxims, chiefly borrowed from the Bible and the Stoic philosophy. The subtilties and crafty devices of Roman discipline were never enforced by Columban or his disciples. We may even add, that concerning the celebration of Easter, and all the ceremonies of baptism, they held opinions which the Holy See always condemned. Far, however, from submitting to Papal censures, Columban boldly and nobly replied to the Bishop of Rome: "Your power will last only so long as your judgment shall remain correct."

The difference existing between the literary taste of the Irish and that of the Roman schools is still greater. In Rome, and in all countries where the Roman spirit had the ascendency, Christians abominated even the slightest vestiges of

antiquity. When they searched for ancient manuscripts, it was to destroy or efface them, and to copy on the same vellum psalms or nonsensical legends. The Christian neophytes were ordered to eschew the very contact of profane poets. One of the most learned Popes the Church of Rome can boast, Gregory the Great, writes to a bishop: "My brother, I have learned that which I cannot repeat without pain or shame; — you have ventured to teach grammar. Learn how wrong, how horrible, *quam grave nefandumque*, it is for a bishop to treat of things which a layman himself should ignore." Now Columban not only taught grammar, but wrote profane poetry, earnestly recommended the reading of the old poets, and even quoted Juvenal in support of evangelical maxims. All the Irish scholars of the time professed the same love and admiration for the Greek and Latin classics. If we are imperfectly acquainted with St. Roding, the founder of Beaulieu, and St. Fursy, Abbot of Lagny, we still possess a score of Latin verses from St. Lewin, Bishop of Ireland, which breathe the true spirit of ancient poetry. Even in the sermon delivered by St. Gall when he declined the bishopric of Constance, we find reminiscences of profane literature. The erudition of these divines was so abundant, that their discourses teem with Hellenisms and technical terms. They seemed even to have taken no little pride in displaying their extensive knowledge. Thus Cummian, in his dissertation on Easter, calls Origen *Chalcenterus*, modestly adding, that beyond St. Gall, and perhaps Bobbio, both Hibernian colonies, the word is not likely to be understood. We possess many such evidences of their close acquaintance with the Greek language and literature.

In the eighth century we notice among the Irish scholars St. Virgil, Bishop of Salzburg, in Bavaria. King Pepin invited him to his court; and an historian of the time relates that the French monarch was so much pleased with the wondrous learning displayed by Virgil, that he kept him two years. He was indeed a genuine scholar, who endeavored to blend science with religion. Jealous, no doubt, of his well-merited popularity, Boniface, Bishop of Mentz, and Pope Zachary had him arraigned before a council, charged with the heinous crime of having affirmed, on the testimony of the old Greeks,

the existence of the antipodes. He was nevertheless canonized in 1233. With Virgil we should mention his friends and companions, St. Declan, St. Alto, and Dobdan, called "the Greek," Bishop of Chiemsee, in Bavaria, where he opened a public school, which was attended by "legions of scholars."

Colchus or Colchen the Wise, Cruindmelus, and Malrachandus, both skilful grammarians, seem to belong to that age. Colchus was the leading man in one of the great Irish schools. One day, while travelling on foot, he met a traveller who kindly offered to carry his heavy burden. That obliging companion was St. Peter himself. So says the Irish legend. We know nothing concerning the personal history of Cruindmelus and Malrachanus. The latter often quotes the old grammarians, and exhibits in his treatise a remarkable method by which Greek and Latin may be taught simultaneously. This partiality for the classics is so much the more singular, that the hatred of the Romanists for the old poets scarcely knew any bounds. St. Ouen literally calls them "scoundrels," and Odon de Cluny compares Virgil to a beautiful vase filled with horrid reptiles. The Irish, we are glad to see, entertained very different ideas of classical excellence.

At the end of the eighth century Charlemagne reigned over France, and Italy hailed him as the heir of the Cæsars. When at the height of his glory he undertook the restoration of belles-lettres. To use Alcuin's expression, "he aims at founding a new Athens." There was no lack of pupils, since the Emperor enrolled himself among them. But where was he to find masters? Italy sent him Paul Diacre and Peter of Pisa; Septimania, Theodulf; England, Alcuin; but the true scholars came from Ireland. Great changes, however, had taken place; Roman orthodoxy ruled on the Continent, without succeeding in extending its sway over Ireland. There Hellenism, the Alexandrian Hellenism, with its learned subtilties, bold dialectics, and enthusiastic love of freedom, held its own. It was destined to clash with Romanism in Charlemagne's palace.

One of the great monarch's historians, the Monk of St. Gall, has given us a very interesting account of the arrival of two Irishmen at the Austrasian court. The dusty travellers took

their stand in the market-place, displayed neither goods nor wares, but attracted public attention by the singularity of their attire. "If one desires to acquire science," they said, "let them come to us, we sell it." Karl sent for them, and, enamored of their knowledge and aptitude, intrusted numerous pupils to their care. Whether this anecdote is true or not, is a question of little moment, as it is certain that there were several Irishmen among the regents of the Palatine School, who always commanded respect and influence. The most celebrated among them was the grammarian Clement, surnamed "the Hibernian."

It was generally believed that none of Clement's works had been preserved; but M. Hauréau succeeded in discovering among the manuscripts in the Imperial Library his treatise on Grammar, which exhibits an extraordinary degree of erudition for the time. The author even quotes Homer in the original, and emphatically declares that the Greeks are, and ever will be, his masters. It appears that Clement's boldness and free-thinking made him many enemies at the court of Charlemagne. Theodulf and Alcuin do not spare him. Alcuin, born in Great Britain, and of Anglo-Saxon origin, was a pupil of the school of York, and, like all his countrymen, entertained bitter feelings toward the Scots. He had relinquished the palace school to take up his residence in the monastery of St. Martin of Tours, where the most distressing news came to disturb him in his retreat. The Emperor had been seduced by the brilliant erudition of the Irish, and their influence was fast spreading in the school. The thought preyed upon Alcuin's mind, and he wrote to Charlemagne: "When I departed, I left near your person Latins; Egyptians have now taken their places." This appellation of "Egyptians" is an ingenious one. The most learned city of Egypt was Alexandria; and the heresy of the Scots concerning Easter, their sophistry, pride, doctrines, method, and Hellenism, all sprung from Alexandrian traditions. The Irish after all deserved the name of Egyptians; for Egypt was their literary father-land. Hence the repeated efforts on the part of Alcuin, who represents the Latin cause, to have them expelled. The time had not yet come. The Scots were already suffering from Danish inva-

sions, which caused them to emigrate in great numbers; and we see about that time crowds of Irish masters propagating everywhere on the Continent their science and their doctrines.

It is still a question whether Dichuill, a great astronomer, whose works have been published and commented upon only within the last fifty years, Claudius, whose valuable commentaries on nearly all of the books of the Holy Scriptures are yet in existence, and Gildas, the mathematician, ever left Ireland. But we find, belonging to the same period, Dungal, the grammarian, appointed to a chair at Pavia; Killac, Abbot of Kildare, and Blathmac, the Bishop, sent to teach the Albanian Scots; Indract and several Irish monks catechising in England; Eusebius the anchoret and Erlulf the bishop teaching in Germany. But it was in Gaul that those learned pilgrims enjoyed the greatest latitude. Charlemagne protected them against Alcuin, so did Louis the Debonair; and Charles the Bald invited them to a seat at his royal table. We can find no better proof of their numbers and ascendency than in a certain passage from an author of the time, who says: "Shall I speak of Ireland, which, despising the perils of the sea, has immigrated almost entire to our shores, with its flocks of philosophers?" Of all these we know of only three, Helie, Mannon, and Scotus Erigena.

We have not the names of the schools which received the benefit of Helie's teachings, and only know that his success was very great. He died Bishop of Angoulême. Several commentaries on Plato's "Laws" and "Republic" have been erroneously ascribed to Mannon, though his vast learning and reputation do not admit of a doubt. He died near Lyons in 880, leaving an extensive collection of books. There are still in the public libraries of France several manuscripts with these words inscribed on the fly-leaf: "Presented by Mannon to the Monastery of St. Oyan." Scholars do not relinquish the hope of discovering in the Irish libraries, as yet but little explored, some of Mannon's long-lost works.

From Scotus Erigena we may ascertain the character and opinions of the Irish philosophers of the ninth century. John Scot knew Greek, not imperfectly, like Beda, Alcuin, Eric, and many other incipient Hellenists of the Latin school, who,

proud of a little knowledge gathered from the Irish, often betray in the same breath their errors and limited erudition, but as well as the most noted scholars of the sixteenth century. His translation of Dionysius the Areopagite, whose works gave the first impulse to the scholastic philosophy, is read to this day. He commented on Capella with surprising boldness, and often quotes Plato. Strange as it may seem, he is as much of a realist as Spinoza himself. As for his independence, it has never been surpassed. "There is no difference," says he, "between philosophy and religion. Authority proceeds from reason, whilst reason does not proceed from authority. Now every authority which has not the sanction of reason is worthless; whilst reason needs not the protection of any authority whatever." He adds: "I am not so much afraid of authority that I should hesitate to proclaim aloud all that my reason sees clearly and distinctly." When we consider the times, the boldness of such declarations is truly surprising; and despite the well-known originality and traditional insubordination of the Irish thinkers, the student of philosophy must search the works of the philosopher of Malmesbury, published several centuries later, to find anything to equal it.

These principles led Scotus to a formal denial of the Catholic theology and philosophy, which he did not hesitate to replace by the uncompromising pantheism of Proclus. If John Scot, as regent of the Palatine School, had limited himself to the discharge of his duties, without interfering directly with ecclesiastical matters, the Church would have suffered him to continue in peace the inculcation of doctrines which it was not capable of appreciating. But at the request of Charles the Bald he ventured to declare his opinions in a dogmatic controversy provoked by Gotschalk. The whole Romish Church rose immediately against the "impious Egyptian," and demanded that he should be severely punished. What were the consequences of this clerical tempest, no one can tell; but from that day Scotus Erigena disappeared from the stage, never to be seen or heard of again. With him Irish Hellenism was forever proscribed, Hibernian teachers were called "public pests," *hostes atroces*, and good Christians were enjoined to flee from them with horror and disgust. The Irish schools lost

from that time forward all their individuality and influence. Yielding to the supremacy of the Romish Church, they replaced Plato and Proclus by St. Augustine and St. Gregory. The most brilliant of all the Irish masters is evidently Scotus Erigena, who was also destined to be the last. Our sketch must end with him; for his school, which had shed so much glory over the Western world, loses its very name, and is merged forever into the Latin schools.

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ART. VI. — 1. *Neue Beiträge zu dem Geist in der Natur.* Von HANS CHRISTIAN OERSTED.

2. *Hints towards the Formation of a more Comprehensive Theory of Life.* By S. T. COLERIDGE.

3. *Vital Dynamics; the Hunterian Oration.* By JOSEPH HENRY GREEN, F. R. S.

4. *Humanics.* By T. WHARTON COLLINS. New York: D. Appleton & Co. 1860.

5. *Glimpses of the Heaven that lies about us.* By T. E. POYNTING. London. 1860.

THE tendency of modern science is to the revelation of nature as pervaded by a principle of life which gives unity to the whole. The laws of nature are seen to be, not generalizations of separate phenomena, but expressions of a creative idea. The order and wisdom of the universe are not abstract terms, but embodied facts in every province and part thereof. Life itself is not the result of organization in any sphere, but precedes the organization, and determines what it shall be. Thus Oersted writes: —

"However much objects may differ from one another, still a deeper investigation discerns a common nature in them all. We find the same law of organization in the whole animal kingdom, in spite of the greatest and most varied difference in their external form and internal structure. We meet again with this same unity in the vegetable kingdom, where a fundamental investigation of some few organizations is sufficient to give a deep insight into its nature. In a further investigation, we find

one point of unity common to the animal and vegetable kingdom; yet even this is only part of a higher unity, until the mind is lost in one fundamental unity of the whole of nature which we encounter in whatever direction we turn. Every well-conducted investigation of a limited object discovers to us a part of the eternal laws of the Infinite Whole."

In the same spirit, the oration of Mr. Joseph Henry Green, delivered twenty years ago before the London Royal College of Surgeons, claims for the laws of nature that they are more than a generalization from particulars, and urges that "the contemplation of nature is other and more than a description of appearances, a *catalogue raisonné* of facts, or a *memoria technica* of phenomena, formed by generalization and classification." There must be "the impress of intellectual unity" to render a fact something more than "an appearance or impression on the senses"; and the discovery of any great law of nature has always had the character of "a revelation, as by a flash of divine light, of *the legislative wisdom* of the Creator."

It was this legislative idea which governed Hunter in the preparation of his Museum, and enabled him to present the different facts of living nature as products of "a law of life," of a power *anterior in the order of thought* to organization.

This presentation of life as an "Idea" is in harmony with Coleridge's philosophy. His essay was undoubtedly borrowed from Schelling, but it was so appropriated by the borrower that it belongs equally to himself. It makes life to be not an objective fact, but a process, which supposes a universal and a limitative power. It is not the result of atomic action, but is "a tendency to individuation"; — the power which unites a given *all* into a *whole* that is presupposed by all its parts. This tendency culminates in the individualization of man, the perfect whole, presupposed by all the previous manifestations, — man as an intellectual, social, and free existence. All physical phenomena are manifestations of one principle of life. The structure is not a cause, but an effect. It is not our purpose to defend this theory of life as "individuation," yet, when fully apprehended, we cannot but regard it as the most comprehensive statement that has been given. Mr. Herbert Spencer objects to it, on the ground that it does not refer so much "to the phenomena constituting life, as to the formation of

those peculiar aggregations of matter which manifest life." He gives, as his own definition, "the continuous adjustment of internal to external relations," which seems to us that view against which Coleridge protests, whose object is to go behind phenomena. Adjustment is simply one of the phenomena that accompany life everywhere, but it is not life. Mr. Spencer further objects, on the ground that Coleridge's definition includes crystallization, and other phenomena generally considered as not vital. But this is its comprehensive and universal claim, that all nature comes under the domain of life. The crystal is not an amorphous and unrelated object, — an intrusion into the domain of life. It exhibits the action of the same great law. As an exhibition of the uniform working of the Creator, Coleridge's is a valuable and helpful statement, and embraces within itself the "adjustment of internal to external relations," as the effective cause includes all the functions and instruments essential to complete its action. It is only a truism to say that life manifests itself in functional adaptations; and it is only to yield to an impression of the senses to take the phenomena of the mineral kingdom out of the category of a living nature.

The last word of modern philosophy in the sphere of Physics is, that all forces are "correlated"; that in fact there are not many separate *forces*, but only one, a self-identity of dynamic power reappearing in a different form after it has become expended in a previous one. The most remarkable feature in the unfoldings of physical science is, that it seeks to demonstrate, in all the complicated appearances of mechanical, chemical, muscular, nervous, vital, and mental forces, but *one force*. This is the verdict which the teachings of Bunsen, Oersted, Faraday, and Carpenter must necessarily lead us to give.

To the same purport is Mr. Poynting's "Glimpses of the Heaven that lies about us." With him all the various forms of the creation are but tokens of God's thought of man, — "that all things refer to him, that in every other creation, in every other working throughout vast nature, the Father is thinking still of him, looking still to him." In all organic forms God "foreshadowed him, and hinted what was

in his thought." And he sums up the whole in the following words: "I rest, then, with the conclusion, that all the physical actions proceeding in plants and animals are the same chemical and electrical actions that we have seen before in inorganic nature, controlled and modified by the simple action of the all-present God, carrying on in the various organisms the work of his perpetual creation." The point of view which this book takes is noteworthy as a fuller illustration of life as an "Idea." Man is not merely a higher animal, the apex of the great pyramid of animal life, but he is "the archetype of the organic creation." And the practical lesson to be drawn from this view is thus stated: —

"Who has not felt sometimes, when contemplating his own relation to the animal world, a certain uneasy feeling of degradation, a certain shadow of doubt, whether man was not, after all, only a higher kind of animal, *modelled from the animals?* We now see that it arose from our beginning at the wrong end. We thought of the lower animals *first*, and then of man as related to them. We see, however, that, in the mind of God, man stood first, the great archetype, to be created for himself, and his body for his spirit; and then the animals came as shadows, and imperfect types; *they* taking glory from him, not *he* degradation from them. The Creator *lifts off perfection after perfection* from the higher forms in order to produce the lower."

We regard this view of the unity of life as a great gain in the sphere of practical religious recognition of the phenomena of the external world. It is an immense advance over the naturalism of the preceding period, — over the low, sensual theories which have dominated too long in the minds of physicists and naturalists of the so-called "Inductive School." It bridges over the supposed chasm between physics and metaphysics, and might take as its motto the saying of Giovanni Battista Vico: "Physica sunt opaca, nempe formata et finita, in quibus metaphysici veri lumen videmus." He who would reduce the method of Bacon to a generalization of particular facts sadly mistakes the tenor of his teaching, which is to deliver the human mind from all the different idols, that it may discern "divinæ mentis Ideas," "signaturas atque impressiones factas in creaturis." And Cuvier speaks

as a true metaphysician no less than as a naturalist, when he says: "Celui, qui posséderait *rationnellement les lois* de l'économie organique pourrait réfaire tout l'animal." It is this principle of unity of life, rightly apprehended, which will enable man to feel himself most intimately allied with all organisms, both animate and inanimate, and yet to be preserved from that abject materialism which makes him only a clod of earth, a process of vegetable or animal growth, a perishing phenomenon of time and sense alone.

The idea of a Creator who is essentially One presupposes that the remotest spheres shall express and typify his attributes. The same lineaments must be reflected, however dimmed and shaded they may appear. The outer must be in harmonious grouping with the inner circles of manifestation. The end for which all was created, the one thought, must live in the minutest part, and embody itself in each series, and in the whole infinite multiplicity and multiformity of detail. This stamp of the Divine features must be in the utmost limit of the serial progression, in rock, in mineral, and in each grain of sand. *There* must be, equally as in celestial or heavenly spheres, order and use;—in a word, the one life. It takes an outside, a *figure*, so to speak, from the limitations of the natural spheres, but in all there are immanent the same divine characteristics, because conformed to the one idea. Nature is thus a repository of the Divine Wisdom, and the remotest boundary is pervaded by the same essential life. Thus the science of to-day marches in the direction pointed out by Schelling, when he says: "The highest perfection of natural philosophy would consist in the perfect spiritualization of all the laws of nature into laws of intuition and intellect. The more the principle of law breaks forth, the more does the husk drop off, the phenomena themselves become more spiritual, and at length cease altogether in our consciousness."

The idea or law precedes all the phenomena, and descends to the outermost limit, the mineral kingdom, that, becoming there a basis in ultimate forms, it may reascend and fill each sphere with related and corresponding forms. Thus each lower prophesies, and prepares for, the higher. And should the hypothesis of Darwin prove true, it would be of little im-

port in regard to the doctrine of one animating principle of life. Each series of progression is still expressive of the architectural idea. Crystallization prophesies vegetation; galvanism, sensitivity in plants; and this, excitability in the animal system. In the tree a foreshadowing is given of the human form itself. It is stationary and rudimental man, embodying in its sphere all it can of the one life. Its roots are a heart, its leaves are lungs, its stem is a vertebral column, its sap is blood. In bondage to the lower, it cannot be detached from the soil; but it reproduces itself by seed, it assimilates to itself nourishment, and falls back again, at last, into that bosom of nature from which it cannot be separated and live. It has not become an individualized receptacle of life.

It would be but the reproduction of scientific classifications of progressive animal forms to show in detail how organs are successively evolved, and how the various steps are taken toward integration and perfection in the human form, with no chasm in nature, but an ascent from grade to grade, each comprehending in itself the whole previous gain of faculty, and completing what the preceding prophesied. The one divine idea pervades all, from the first moving of the spirit of life. Man is thus the true microcosm. He has a body in which the phenomena of mineral, animal, and vegetable organisms manifest themselves; but there is also attained in him freedom from passive subjection to sensational and animal influences. In him the highest degree of inward intensity coexists with outward individuality, and life exists for itself. In him the idea culminates. The old fable says "that Momus looked on the animal creation, and said thoughtfully: 'Every beast resembles some one god or goddess, but which is the image of them all?' Then Prometheus formed man, and answered: 'Behold him.'" "Have we," says Agassiz, "a mere complication of organs in these animals? No, we do not trace mere material phenomena; — we trace thoughts, and *not our thoughts*, but the thoughts of God, the Creator." Thus does science emancipate itself from the idols of the human understanding, and give us the true "Baconian induction."

Nature becomes not only humanized, but is made divine,

when man is regarded as the archetype of all existences, when she is seen to have been, from the first, striving to give birth to man, and to perfect the one universal form. This perfectness is not in any particular organ, but in an equal balance and an harmonious play and inter-adaptation of all. Man is subordinate to no animal instinct or organic exaggeration, but has freedom and reason, and can attain to a true personality. Every being that is on the animal plane alone is the slave of some partial organism or some local preponderance of faculty, as exhibited in the declension from the human form. The hare has wonderful quickness of hearing, but he is enslaved to his sensitive ear by timidity. In the shark the jaws protrude, and govern him through his voracious appetite. Each animal purchases its peculiar characterizing perfection, or instinct, by subjection to some propensity which renders all intelligent choice impossible. The rounded and developed human brain indicates the equilibrium of man's faculties, and measures his freedom from subserviency to outward excitements and animal greed. He is lord of the creation, lord of himself, and image of the Creative Lord. In him the creation returns to Him who is essential wisdom. It is all pervaded by the one life; it is not a heap of disconnected existences, but a divine whole, descending from the Creator and ascending to Him again. Swedenborg thus enunciates this crowning truth of modern science: —

"Man was so created that the divine things of the Lord may descend through him to the ultimates of nature, and from them may ascend to Him; so that man might be a medium of union between the Divine and the world of nature. In his body the arcana of the world of nature are reposited; the hidden property of the ether in the eye, of the air in the ear. The very changes of state are throughout in the touch; and things still more hidden would be perceived in his interior organs, if his life were according to order. The first men made whatever they apprehended by any sense a medium of thinking of the Divine, and hence received a celestial delight from things worldly and terrestrial. And the inferior and ultimate things of nature appeared before their eyes as if they were alive; for the life from which they descended was in their internal perceptions, and the objects presented were the images of that life."

The best interpreter of Swedenborg, Wilkinson, reproduces this statement in a few words that give a *résumé* of the whole doctrine: "The Divine Father has prepared his universe for the spiritual education or sustenance of all his children, and this end generates the very potencies of man. The great movement of the universe enters his body, and becomes his constitution. The world lives in him, and fits him to live in the world. Not a stone, or a plant, or a living creature, but carries up its thread into his loom, there to be wound into human nature." To this view, which, rightly apprehended, gives us back again more than the vivid representations of mythological and polytheistic ages, there is opposition only from that science which regards material phenomena alone, and that ideal philosophy which deals solely with abstract metaphysical notions. Much of theology is a philosophy of this class, dealing with the Creator as an absolute void, out of time and space and humanity, who is to be conceived of only as the negation of all positive and real existence. He is the Indefinite, and not the Infinite; the Abstraction, and not the Fulness of all Life. Science, recoiling from any view of law but as a generalization of particular facts, has tended to materialism; while theology has dealt for the most part in vague, lifeless metaphysical terms, and given but the shadow of a creative and indwelling Power in the universe. The vast machine, enclosing within it potential germs of growth and forces to be developed, was set in motion, and this pitiless whirl was called God, — a formless, substanceless notion, to which all adoring epithets were applied, but in which there was no vital reality. Hence Schiller, in his "Gods of Greece," laments that

> "All these blossoms, late so fair, have perished,
> Scattered by the North's ungentle blast;
> While one great Supreme is only cherished."

Considering this as a protest against what Oersted calls "the soulless comprehension of the Unity," we can fully sympathize with the poet's view. A mathematical oneness is not unity, and an adulated abstract essence is not a living God.

At the present time the evidence of a vital unity pervading the whole of nature is to be found in physiological materialism

itself. We are willing to concede that there is an orderly series from a primal nucleus to star and man; that a nucleus of some sort is the central fact of all organization; that there is an advance from nucleus to laminæ; from laminæ to organs of reception; from these to organs which assimilate, digest, respire, feel, and think; and that the study of human embryogony is the study of the whole animal kingdom. We gladly recognize, in all this, proofs of the assertion that man is the "representative of all forms, and the aggregate of all uses." We fully perceive how we are related through a progressive order with each object in the whole material universe. For when we see that one idea dominates all the infinity of detail, from the simplest nucleus to man, we must own that there was a presiding thought. The theory of final causes is not the limited and special hand-to-mouth system which it is too often represented to be. An orderly, symmetrical, and systematic arrangement, irrespective of particular uses and adaptations of one and another individual object and organ, answers the highest demand of our intelligence. "If the laws of our reason," says Oersted, "did not exist in nature, we should vainly attempt to force them upon her; if the laws of nature did not exist in our reason, we should not be able to comprehend them." To trace a measured and uniform progression, which is in all its parts comprehended, summed up, and perfectly represented in the final object, is to prove unity of design and unity of pervading life.

This unfolding of unity is not due to science alone or to revelation alone, but each has co-operated with the other in the grand result. Without the scientific basis, the religious conviction is liable to remain vague and undefined. "Let it be observed," says Baden Powell, "that the belief in the Divine Unity has advanced with the advance of sound inductive science. The ancient philosophers had no principles of analogy to connect one class of facts with another. They imagined nature in general to be given up to almost total anarchy, and the universe an arena for the perpetual combat of conflicting elements. From the universal unity of plan has been derived our rational proof of the unity of the Deity."

We find, as to the unity of life, a wonderful unanimity of

statement among the great spiritual seers, in all times and lands. George Fox speaks of coming up into that state "in which the admirable works of the creation and the virtues thereof may be known through the openings of that divine word of wisdom and power by which they were made. Wonderful depths were opened unto me; but as people come into subjection to the spirit of God, and grow up in the image and power of the Almighty, they may receive the word of wisdom that opens all things, and come to know the hidden unity in the Eternal Being." In like manner the Hindoo sacred books are full of statements which in their wild grotesqueness give significant hints of the all-enfolding truth.

"Originally," says the Rigveda, "the universe was soul only. The soul created fire, air, sun, moon, herbs, trees, &c. They came to the soul and said: 'Grant us a form wherein we may abide and eat food.' He offered them the form of a cow, but they refused it, as not sufficient; then a horse, and finally a human form. Then they exclaimed, 'Ah, wonderful!' Therefore man is the perfection of form. The soul bade them occupy their respective places in the form. Fire, becoming speech, entered the mouth; air, becoming breath, entered the nostrils; sun, becoming sight, penetrated the eyes; space, becoming hearing, entered the ears; herbs and trees became hair, and filled the skin; and moon, becoming mind, took possession of the breast."

Thus is echoed to us the truth, which science establishes to-day, that the creation is a living unity; that man's being responds to every tone in the mighty harmony, and that every form is typical of him. He is not merely the highest in a line of unfolding powers, but he is the culmination and *résumé* of all. Science demonstrates what poetry and religion have intuitively discerned. And in doing this, an essential human want is supplied. What real bond have we that attaches us to the external world? Is the relation only casual and arbitrary, or is it universal and divine? The handwriting of God in nature is not a multitudinous scrawl of separate words, but a connected history, a poem, the work of a spirit of unifying life. This is the central idea of the Egyptian nature-worship, wherein every animal, every living object, was adored. This is the key to all mythologies, to systems of astrology and alchemy, to doctrines of transmigration, to primitive pantheism.

The universal life streamed in upon the childlike spirit of the early world. Its forms attracted and absorbed humanity. The stars beckoned, the lightnings flashed a recognizing gleam; the sky above silently implored; and the sea below allured to its depths.

> "Canst thou, unmoved, that deep world see,
> That heaven of tranquil blue,
> Where *thine own face* is beckoning thee
> Down to the eternal dew?
>
> "She spake to him, — she sang to him, —
> Then all with him was o'er, —
> Half drew she him, — half sinks he in, —
> He sinks to rise no more."

Man was overpowered by the life of nature, and sank helpless in her grasp. Our very language in use to-day testifies to this insight of the old world into the unity of nature. With the alchemists, the planets and the precious metals had the same signs, as the sun and gold; the moon and silver; Mars and iron; Saturn and lead; Mercury and quicksilver; — a nomenclature still retained. These planets and metals were identified with the different temperaments of man, and so his fate was intertwined with the stars in their courses.

It was necessary, no doubt, that man should be redeemed from this exclusive thraldom, which had degenerated into a slavish and unmeaning superstition, and that he might attain to an individual, and free, spiritual development. For generations now he has looked upon nature as a dead and wholly extraneous creation; he has manipulated her substances; he has analyzed her materials; he has described and classified her forms; he has passed her elements through his crucible; he has beaten to impalpable powder her hardest minerals, and exhaled her rocks into gases lighter than air. The beds of ocean and river have been rifled of the peaceful forms that were buried as if to be eternally hidden from man. And the word which every form, animate and inanimate, utters, is oneness of life, — the first word which humanity proclaimed as it wonderingly gazed upon earth and sky, — one all-pervading power. The pantheistic dream is dispelled, and also the view of nature as an inert congeries of atoms unrelated to man,

except so far as he can make them subserve his temporary ends. Matter is no longer a foreign element, which its Maker strives, with varying fortune in the contest, to shape and bring into subjection to his will; it is no longer the theatre of anarchic and disorderly objects, which have no commanding idea or law; but it is the printed book wherein the Creator has set down his thoughts and given forth his word. Nature is the manifestation of spirit, and organization is the record of its presence and its power.

For the cry of pantheism that is sometimes raised at this view there is no foundation. A writer the farthest removed from any such tendency, Tayler Lewis, discriminates justly when he says: —

"It is *impersonality*, and not the pantheistic idea, that annihilates all religion. There is a Scripture pantheism; there is a true sense in which 'God is all and in all'; there is a true sense in which it is said, 'In him we live, and move, and are'; but this recognizes his personality and our personality as all the more distinct, from the very fact of the inter-subsistence. We may believe that 'God is all,' if along with it we cleave to the truth that this great One and All, as we may call him, does truly think of us as finite beings, that we are truly present to that Eternal Mind, lying in it, embraced by it, but still as personalities, the finite images of the infinite personality, and treated as spiritual persons, not as mere links in a physical system or an endless chain of things. We may indulge in any views of the divine infinity, of the universal life, of the one all-embracing thought, and yet feel that our almost infinitesimal unity is as distinctly recognized as though it had been alone with God, the only act and object of his creating power."

We need, most of all, to be brought near to God, by the pervading feeling of unity and omnipresence. We are very far removed from losing our own in nature's life. A speculative pantheism may be held by a few, but it is foreign from the whole genius of modern thought. Science must be redeemed from atheism before it is to fall into pantheism. Man cannot sink again his personality in an impersonal ocean of surrounding and all-engulfing being.

It is this principle of unity of life that Swedenborg unfolds in his doctrine of "Correspondence." It is a necessary result. A truly scientific exposition of nature must be an expo-

sition of the spiritual nature of man, and the attributes of God. "The soul is the type of the body," says Mr. Collins, in his comprehensive and thoughtful essay on man, "as God is the archetype of the soul." All science is thus comprehended in the one science of sciences, Theology, — not a science of God as a metaphysical essence, enthroned in some far-off region of space, to whom flattering titles are to be assigned, but of him as revealed in humanity, in social order, in all forms of life, in all objects of the material world, in all souls, — including all epochs of time, and all generations of men, and thus including, above all, as a deeper insight will acknowledge, the ancient sacred books which we fitly and reverently call the Word of God. If theology is to be other than a cobweb of metaphysical speculation, here lies the road in the recognition of one life, "to which the whole creation moves."

This idea of one life pervading and upholding all parts of the creation excludes the notion of identification of the Maker with the objects he has made. If there be only one life, it can have no parts. There can be no such thing as any object being a part of God. That which is equally in all cannot divide itself into parts. Individual objects do not by aggregation compose a unit, but they exist because there is one life in all and in each. Natural objects are not stereotyped letters, but, as one has said, "gesticular expressions" of nature's inner life. Agassiz rightly calls them "thoughts of the Creator," — the great THINKER. They express his wisdom according to the adaptation of form, or their organization fitted to embody life. The Bible calls man, the highest embodiment, "God's image." Yet man is simply a monster, an exceptional enigma, until he is shown to be no isolated manifestation of life, but related to all other forms, and united with all in one harmonious bond, centred in a living whole. Any object having the life itself would exclude all other objects, and there can be no monopoly of the universal life. The highest archangel is no more the life than the minutest nebulous film. In both the one life equally dwells, for they are both recipient forms, and those forms express their relations with each and all objects in the universe.

In order, then, to preserve man's spiritual personality, we

must establish the fact of his spiritual organization, substantial and real, which shall bear the same relation to the spiritual world that his bodily organization does to the natural world. The earthly organism of all beings decays and is metamorphosed into other forms, and will circulate in nature's currents till the end of all material things. The same material enters, has entered, and will enter, again and again, into innumerable existences. It is held by each but for a passing moment, and then is gone. It is organic form that enables matter to manifest life, and life is not in the matter itself. In order to live as a spiritual being, man must have an organized spiritual form. Grant this, and when the material form perishes, there need be no speculation as to his being merged, on the one hand in matter, or on the other in the One Life, God. With this idea of a spiritual organic form, as the prerogative of man, who is the link between the natural universe and God, and who mediates between them, — upon whom descend, and from whom ascend, "the celestial forces," — we may assent to all that is said of the "Over-soul," of the universal life, the one creative and immanent energy, without denying thereby our own personality, our own immortal, individual destiny, and without identifying and confounding the Creator with any part of his creation. It is the doctrine of forms that science now struggles to unfold. She utters many a stammering word, but all tendencies centre there, and it will be fully spoken at last. Admit the reality of man's spiritual, organic form, and oneness of life may be held as well as individuality of person and immortality of existence. The same life manifests itself in us through all material changes; it dies not with the body's death, it rests not in its grave.

We cannot fear, for a moment, that parts will be identified with the One that dwells equally in all, that phenomena will be merged in the Life that produces them, or the organic manifestations in that which upholds them. Yet if they were so identified, this would not be so harmful as that material and atheistic view which prevailed among the natural philosophers of a preceding age, and from which even Christian science has not been exempt. We have seen, repeatedly, the phenomenon of a naturalist who could escape from the charge of atheistic

views of nature only by a happy inconsistency of faith. His faith was one thing, and his science another, and between them was a vast gulf from whose edge he recoiled with instinctive dread. His religious faith imported a God into his science. To him all nature was a dead husk and an unmeaning scroll. He found no God there, and asked to find none. He was content to believe that it was said on good authority, that He did once create the world. He would ever after take it for granted.

While the naturalist has often excluded God from his creation, so have too many of the so-called theologians of the schools. One has sought after the simplest material substance, and another after pure metaphysical essence; one has immersed himself in phenomena, which, the Apostle says, pass away, and another has sought to raise himself by his own ears into a higher sphere; one has collected concrete husks, and another abstract qualities; one has aggregated together heterogeneous masses to make a unity, and another has sought to dissolve and analyze an uncompounded unity. How could they arrive at truth, if God be the most complex of all forms, and nature the most simple, when the Deity was regarded as a barren simplicity, and nature as a perplexing multiplicity? God must be studied in his poem of the world, as we would study a poet in his work. The world is his epos, or epic, or word. Therein is his mind, his plan revealed. Shall we think to interpret it by counting the lines, and taking one by one the letters from the page? Shall we look only at one or another page, and judge of the whole by single verses? Shall we understand the poet *out* of his work, by hunting up his birthplace, by describing his lineage, and analyzing his mental powers? Surely not. We must be pervaded by, and baptized in, the spirit of his work; we must enter into that living thought which gave birth to every recorded word and every act; we must catch the tone of his inspiration, and in us the forms therein set down must live again. God imparts to none but receptive spirits the genesis of his creative power. He who would distil life from the rock and the earth, must carry life with him to his work.

Of what is wholly external and heterogeneous, we can really

know nothing. If there were not one life in all, our knowledge would ever be null. We know a thing only by its reflecting our own mind; only as it comes into such relation with our intellectual being that the same ray of light passes through us and it. We see the same vitally operating principle in us and in the object itself; we are intermediate between the spiritual and natural world, and they become in us one. Nature is the best treatise of logic that can be found. There is reason there, and so as we are conformed to reason, we understand something of her teaching. Nature is a phase of the one spiritual life, and we can interpret her because she is comprehended within our own being, and is not something separate, alien, and alone. All true knowledge of nature is the inshining of spiritual light. If we would know then the creations of a living God, we must share in that life which animates them and flows through them.

The recognition of unity of life in the infinite diversity of manifestation is opposed, on the one hand, to a system of dead and abstract laws, and on the other, to an arbitrary and lawless interposition to remedy and supply special defects. It is a perpetual creation according to an overshadowing and indwelling Idea, and not "vestigia," or footmarks where the Deity *has been*, but where there is no need of his immediate and inflowing presence. The living God does not sit apart as a director to that machine of the world which he contrived at some era long since in the past. He has no delegated agents with life in themselves, continuing in action after he has withdrawn from the scene. A living unity can admit of no theory of physical development by inherent and necessary laws, though it can gladly acknowledge the physical order of appearance. The author of the "Vestiges of Creation" plainly states the irreconcilableness of the view of the Creator of the universe as "only an Author of laws," with the idea of Him as "the immediate Breather of our life." It is a chasm which cannot be bridged over; and the repugnancy of the moral sense to such a chasm should insure its immediate rejection, even as we would reject a mathematical theorem involving the postulate that a part was greater than the whole. It does not seem too great a demand upon any proposed system of the

creation, that it should not conflict with the deepest needs of the spiritual being; that it should leave no chasm between the past and the present; that it should exhibit one ever-present and ever-acting living potency. The fossil tracks of an animal are but a poor substitute for the living, present, physiognomical form.

In a system of delegated laws there still remains the difficulty of bringing the Creator into *rapport* with his creation. He comes into it only as the first of the series of physical changes. He impinges upon his work as an external force, and is not its ever-inspiring life. Everywhere is death, successive change in matter, mechanical addition of organs, and not a reception of the One Universal Spirit. It is only to the lower understanding that oneness is secured by the development-theory that the simplest type gave birth to the type next above it *ad infinitum*. The smallest infinitesimal advance from one species to another is as impossible to conceive of, except as proceeding from a direct Creative Power, as the whole distance from vesicle to man. It is but a juggler's trick of deceiving the senses by diverting them. The bond of unity in all material things is not that of physical succession, but of spiritual participation in the one life. They have a contemporaneous existence as the expressions of an Idea, and are held together by a living bond, and not by a slimy descent. Because it is brought by its organism into relations with the whole, each object has existence. The whole life is in the least molecule as fully as in the central sun; in the sponge, as in the human brain. There is but one organ though many varying pipes, and one air-chamber supplies them all; —

> "Organic harps diversely framed,
> That tremble into thought, as o'er them sweeps,
> Plastic and vast, one intellectual breeze,
> At once the soul of each, and God of all."

All things are vitally associated, not aggregated together; their genesis is a spiritual creation according to a Divine Idea, and not an improvement by infinitesimally small additions of organic functions, getting foothold where and as they can establish themselves. Man is the great archetype, not because

one species had advanced a little upon the preceding, and so imparted something of its resemblance, but he was the end contemplated. He has a blood-relationship to all objects in nature. The one life flows in all veins. "The Divine," says Swedenborg, "is in all and everything, still there is nothing of what is divine in itself in their esse; for all is *from* God, but is not God; and being from God, his image is in it, as the image of a man in a mirror, in which the man appears, but still there is nothing of the man in it."

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ART. VII. — 1. *The Causes, Principles, and Results of the Present Conflict. A Discourse delivered before the Ancient and Honorable Artillery Company, on its CCXXIII. Anniversary, June* 3, 1861. By S. K. LOTHROP, D. D., Pastor of the Brattle Square Church, Boston. Boston. 1861. pp. 70.

2. *Wars and Rumors of Wars. A Sermon preached at the Union Church in Groton, Mass., on Sunday, April* 21, 1861. By the Pastor, REV. EDWIN A. BULKLEY. Cambridge. 1861. pp. 16.

3. *Our Sacrifices. A Sermon preached in the West Church, November* 3, 1861, *being the Sunday after the Funeral of Lieut. William Lowell Putnam.* By C. A. BARTOL. Boston: Ticknor and Fields. 1861. pp. 23.

4. *The Lessons of our National Conflict. An Address before the Alumni of Yale College, at their Annual Meeting, July* 24, 1861. By JULIAN M. STURTEVANT, President of Illinois College. New Haven. 1861. pp. 21.

5. *Patriotism and the Slaveholders' Rebellion. An Oration.* By C. S. HENRY. New York: D. Appleton & Co. 1861. pp. 34.

6. *The Rebellion: its Latent Causes and True Significance. In Letters to a Friend abroad.* By HENRY T. TUCKERMAN. New York: James G. Gregory. 1861. pp. 48.

7. *Cheap Cotton by Free Labor.* By a Cotton Manufacturer. Boston: A. Williams & Co. 1861. pp. 52.

8. *The Rejected Stone : or Insurrection* vs. *Resurrection in America.* By a Native of Virginia. Boston : Walker, Wise, & Co. 1861. pp. 132.

Few words have been more currently perverted from their true signification than *loyalty*, and with the misuse of the word the sentiment which it rightfully represents has suffered decline. We need hardly say that loyalty really denotes fidelity to the law, especially to the constitution or fundamental law of the land. Nor is its sense passive merely, denoting the qualities of the obedient subject alone, but with these the advocacy and championship of the law to the full measure of one's ability. The word, in common usage, stands for fidelity to the sovereign or executive head of the nation, whether he revere or set at naught the constitution under which he professes to govern. Thus at the periods — so frequent within the last thirty years — when the thrones of Continental Europe have quaked and tottered, not he who vindicated the natural or prescriptive rights of the people which were invaded at all points when autocracy took courage in Napoleon's disgrace and exile, but he who made himself the supple minion of usurped and irresponsible power, was termed loyal. Thus, too, we are in the habit of calling those misguided, though often honest men, who adhered to the British ministry in their invasion of the rights of the American Colonies, loyalists, while that appellation belongs in justice to the patriots of our Revolution, who maintained at the peril of their lives the cause of legal liberty against extra-legal exaction and oppression. In fine, *loyalist* has been made synonymous with *royalist*, while, in fact, the two terms are often applicable to opposite parties.

In our country, since the Revolution, we have lost the opportunity of using the term *royalist* concerning our own citizens ; and we have made very little use of *loyalist*, because the sentiment of loyalty has grown feeble and inert. Allegiance to royalty has in all ages been less a principle, than a mean, selfish, timeserving instinct ; and the chief bane of our land has been this same instinct, developed in the only form in which it could take shape, that of man-worship. It has always been the vicious tendency of republics to forsake principles for

men, — instead of placing themselves under the guidance of unchanging maxims of sound and just policy, "to make gods that shall go before them," and gods often as little worthy of reverence as the golden calf which the Hebrews cast for that purpose. Eloquence, heroism, the prestige of military success, administrative sagacity, or financial skill, with however large an alloy of baser metal, is idolized, and can lead the people at will. Any hold that a man can get upon fame enshrines him in the hearts of his fellow-citizens, and makes them his pliant instruments to effect his ends, be they noble, be they base. This proclivity was the ruin of the ancient republics, and has brought our own to the brink of dissolution. The successive compromises by which we have postponed issues when they were manageable till they were widened beyond the capacity of peaceable adjustment, have been brought about, not by the honest, deliberate judgment of the people, but by their blind trust in leaders, sometimes atrociously corrupt, sometimes upright in purpose, but warped by sectional or party prejudice. The treason which now convulses our country could have been developed into the power of harming only by unreasoning confidence in high functionaries, either themselves traitors, or weak enough to involve themselves in unconscious complicity with traitors. This excessive man-worship had its origin among us in the honor justly due and worthily rendered to the great men of Providence, who led our armies and presided over our counsels in the war of the Revolution; but it was very early transferred to idols like that in Nebuchadnezzar's vision, "part of gold, and part of miry clay," and from year to year there has been less of the gold and more of the clay in their structure.

In the present condition of our affairs, it is in some quarters regarded as marking the depth of our calamity, and the desperateness of our national fortunes, that there remain to us few or no men of the first rank, whether in political or in military life. Among the recent dead were some who left not their equals behind them. Of those who made the nearest approach to them in the esteem of large numbers of their countrymen, some have turned traitors; others show but too plainly an order of ability far below the needs and demands of the time. The only man to whom in our stress of peril all hearts

turned as to one equally fitted to lead our armies and to exert a controlling influence in our counsels, yields to the inevitable infirmity of advancing years at the moment when the country most needs his wisdom and his prowess; while the issues which, while we write, seem approaching the arbitrament of arms, depend on the guidance of one whose name a year ago had not begun to fill the public ear. It indicated rare political sagacity in the Romans of the Commonwealth, that in times of imminent peril they suspended republican usages, and intrusted a dictator with supreme power. Could we do the same, lives there the man whom we would be willing to raise to the dictatorship? But this very destitution may, when the strife is over, be of immeasurable and enduring benefit; for it will have transferred our allegiance from men to law.

In illustrating the grounds of loyalty, we would first say that our Constitution claims our allegiance, because it is law and order, — the only government possible for us, the only bond of peace and beneficent relations by which our nation can be held together, and can maintain its place among the nations of the earth. The theory of the Secessionists resolves itself into universal disintegration and anarchy. Had the now rebel States proffered their demand for a separate government in constitutional methods, had they sought to be released from their compact by the consent of the co-contracting parties, and quietly awaited the action of Congress and of State conventions, we do not say that there might not have been found insuperable obstacles in the way of their separation; but at all events the issue would have had a fair trial, and its settlement would no doubt have been the restoration of amicable relations, whether under one or two governments. To us it seems highly probable that the growing dissiliency of local institutions and interests would have indicated the expediency of forming a Southern republic. If we rightly understood the prevalent sentiment of the North in the interval between the Secession Ordinance of South Carolina and the attack on Fort Sumter, there was even a very general willingness that the recusant States should remain out of the Union; and it was only that mean and dastardly assault that aroused the North-

ern people to the consciousness that Secession, by the mere arbitrary act of a portion of the States, dissolved the compact of the remainder, and destroyed the republic. Yet there is not a single ground on which the act of the Southern States in withdrawing from the Confederacy can be justified, on which, by parity of reason, the Middle States might not withdraw from the Northern, the Pacific from the Atlantic, Connecticut from Massachusetts, nay, on which New York or Boston might not man the forts in its harbor, raise an army among its populace, and declare itself an independent city. Still further, the same line of argument justifies the highway robber or the pirate, if he only solemnly assert his independence of the government within whose precincts he has lived, in considering himself as a government, and levying war on all such as will not concede whatever he claims.

This statement, we know, bears absurdity on its face; but the absurdity lies in once admitting the right to repudiate the existing order of society, to which consent has been given whether by express contract or by the contract implied in accepting its protection and its privileges. If this right manifestly does not reside in any one man, it cannot reside in any body of men by virtue of their numbers, or of the territory which they occupy, or of any subordinate body politic which they may constitute; for it is impossible to define the kind of aggregation or corporation which confers on its members rights which are not theirs in their individual capacity, and the right to break an express or implied contract does not appertain to any individual, and is therefore not among the rights which individuals concede to society.

Is it asked, Where, then, is the right of revolution? We answer, Revolution is a necessity rather than a right; or if in any case it becomes a right, it becomes so, not by virtue of the aggregation or the sub-corporate capacity of the revolutionists, but by breach of contract on the part of the supreme government, which forfeits the allegiance of its subjects by violating its own fundamental law, and by substituting extortion or oppression for the protection it is bound to render. But the pretext of the present attempt at revolution is not breach of contract, or violation of the fundamental law on the part of

the supreme authority, but the action of that fundamental law in purely constitutional methods.

In fine, the question at issue is not that of conflicting rights, but that of government or no government. We doubt whether, in accordance with Christian ethics, war can often be justified. Self-defence is indeed the inalienable right of nations no less than of individuals, and we have no sympathy with the ultraism which would forbid forcible resistance to wanton and unprovoked invasion; but, except against savage tribes, a purely defensive war is wellnigh impossible. Two civilized nations can hardly be involved in hostilities, unless both by their own acts assume a mutually hostile attitude, and each furnish at least a reasonable pretext for aggression on the part of the other. But if any over-scrupulous moralists demur at the present conflict as bearing the unchristian title of war, we would reply, that on the part of the United States, while it has the form, it has none of the essential characteristics of a war. It is the self-defence of government against anarchy. It is a grand police movement for the suppression of multitudinous crime, and is to be justified on the same principles, and no other, on which our civil authorities employ force in apprehending burglars or murderers, at the risk of their lives if they make violent resistance.

We can allege, indeed, no more imperative reasons for loyalty than those which involve the very existence of social order; but they are reasons which might be urged under any constitution or form of government which was designed and adapted to protect life, liberty, and property. Our Constitution has paramount claims upon our loyalty on still higher grounds, as sound in its theory, beneficent in its working, and susceptible of easy adaptation to the growth and the altered condition of the people.

The great desideratum in a government is, that it reserve to itself adequate power for protection, and none for oppression, and that it concede to the people individually and in their subordinate corporations whatever liberties they can exercise without detriment to their aggregate security and well-being, — in fine, that it unite the maximum of strength with the maximum of freedom. And let it not be forgotten that

these two maxima exist only in combination. A feeble government shows its weakness in no way more luculently than in its inability to protect its subjects in the enjoyment of their undoubted rights; while an oppressed nation fritters away the strength of its government, either by its perpetual oppugnancy and its acts of incipient rebellion, if it be an intelligent and self-respecting people, or by its inertness and abjectness, if its heart have been crushed out under its burdens.

Our Constitution gives us a government second to none in strength. Under it the States — contemptibly feeble under the loose *régime* of an ill-compacted confederacy, without credit or honor, with no central force, and with the wildest centrifugal tendencies — sprang at once into a mighty people, assumed an unchallenged place in the sisterhood of the nations, made the public credit inviolate, established commercial relations with rival mercantile powers on equal or reciprocal terms, restored tranquillity at home, and secured respect for the flag of the republic on every sea, and for its ministers at every court in Christendom. What our government then achieved it has maintained till the present disastrous epoch, and is now laboring to restore, with a wisdom and vigor that give every possible presage of success and perpetuity. Meanwhile, our political system has extended the domain of law and of social order, from its original narrow belt of territory, across the continent, — its executive arm not weakened by distances over which no other power has ever stretched continuously; its legislation harmonizing interests more widely dissilient than those of all the kingdoms of Europe; its tribunals omnipresent in their force, irresistible in their decrees, and, with the rarest exceptions, uncorrupt and incorruptible. The rushing floods of immigration have proved our land to be literally "the desire of all nations"; while the might of our government to protect, and its powerlessness to oppress, have converted these myriads from all parts of the civilized world into loyal citizens. Indeed, though we complain, not wholly without reason, of the stubborn persistency of national characteristics in large classes of those who come to us from the other side of the Atlantic, none love our country so well as those who know it by contrast with other coun-

tries, and none are more worthy of its confidence and honor than their children, who have learned the contrast on the worse side by the traditions of their parents and elders, and on the better by nurture and experience.

But while the government of these States is thus strong for all purposes for which its strength is called into requisition, where else is liberty secured as on our soil? Except in certain specified cases of wrong and crime, our central administration hardly comes into contact with the individual, leaves his industry free, insures to him equal rights through the whole length and breadth of the land, exacts no onerous service, presses with a burden which none can feel in the collection of its ordinary revenue, and renders paternal offices at a cost bearing no appreciable ratio to their worth, in its lights and beacons on the coast, its unsurpassed mail service, its surveys and explorations, its consular system, and its ocean police. Its relation to the separate States must be defined in similar terms. It reserves to itself not a single power which they could exercise otherwise than to their own detriment. It leaves them supreme at all points at which their supremacy could be maintained without mutual annoyance, discord, and hostility. It interferes with institutions in their nature local, only to limit them to their proper habitat, and to protect them there. It suffers no intrusion on vested rights, though in the holiest names and with the most beneficent purposes. It permits not even philanthropy to pass the just metes and bounds of local jurisdiction, and secures to each member of the Federal Union the right of self-reform in its own time and way. As regards the integrity of its relations to the several States, we have not only the testimony of its friends, but equally the admission of those now arrayed in arms for its dissolution, that in the entire history of our government there has not been a single instance of the violation of the rights they claim, not a single precedent for such acts of usurpation as they profess to apprehend.

But no constitution can be perfect. Even were one relatively, it could not be absolutely, perfect; for social man is progressive, and may outgrow the government under which he lives. Its capacity of adaptation constitutes, therefore, an

added claim upon our loyalty to the Constitution of the United States. This capacity resides in its separate provisions, and in the terms in which they are enacted. These are not rigid, but flexible, — not precise and technical, but broad in their scope and liberal in their intent. They prescribe principles, not details, — objects to be attained, not the specific modes of attaining them, — the general type, not the exact embodiment of the type. The only exceptions to this statement are exceptions without which the government could not have been organized, namely, the steps to be taken in the choice of its elective members. Nay, even these have become greatly modified in practice. Thus, though the founders of the Constitution intended that the President and Vice-President should be created by the *bona fide* choice of the Electors alone, they are now as truly chosen by the popular suffrage as if their names were given in at the ballot-box. In all else, the Constitution admits of a wide latitude of interpretation, in accordance with the needs, the progress, and the spirit of the people. The written document, without the change of a word, is susceptible of as easy modification and growth as the unwritten Constitution of Great Britain. Thus, should slavery ever be abolished, we know not of a single alteration which would be required to adapt the Constitution to this most desirable condition of civilized society. The provision for the representation of three fifths of other persons than citizens and Indians would, indeed, remain a dead letter, but harmless; while the provision for the restoration of persons bound to service might be made availing now and then for the recovery of an errant apprentice. Slavery, though protected by the Constitution, forms no part of it, and the instrument was, no doubt, expected by many of its founders to survive this blot on our national honor and well-being.

But this is not all. Our Constitution provides for its own peaceful amendment, in such ways as to secure it only against rash and hasty tampering, while the well-considered wishes of the people can always register themselves in our fundamental law.

Such a government we regard as more than the expression of calm wisdom and lofty patriotism. It has its distinctively

providential element. It was God's saving gift to a distracted and imperilled people. It was his creative fiat over a weltering chaos, "Let a nation be born in a day." Loyalty thus has the consecration of a religious duty. It is our due tribute of gratitude to Him whose guiding spirit was with our fathers, and by whose might and love alone our weakness has grown into invincible strength.

How are we to manifest our loyalty? Our nearest duties are those which appertain to the present crisis. Those who have already hazarded their lives for their country demand such honor as we freely give to the memory of the early defenders of our liberty, such substantial and enduring expressions of our gratitude as to them were doled out too late and too scantily. The martyr-roll of the present conflict has names that cannot die upon our lips or in our hearts, and in the rich price already paid for the restoration of peace and union there is the strongest appeal to every sentiment of patriotism. Should the exigencies of the country demand that our army be doubled or quadrupled, we cannot doubt that there will still be brave souls and strong hands for the stress of need and the forefront of danger. Meanwhile there are peaceful services to be rendered for the sustenance and comfort of those who have gone from us, services of provident forethought, of the cunning hand, of liberal charity, of genial sympathy, of due and merited consideration for families bereaved temporarily or permanently of their natural protectors. There is, too, a tone of feeling to be created and sustained, every pulse of which throbs at the seat of government, and runs along the lines of our army; and this every man, woman, and child may help to make true, intense, and fervent. Especially from the educated and cultivated minds of our country may loyal sentiments inspire whatever confidence they breathe, and diffuse the style of thought and feeling they represent; and surely to none should our republic be so dear as to those who can compare its broad and comprehensive freedom and its beneficent care of its humblest members with the tyranny and insolence, the sycophancy and abjectness, which deface the history of those aristocracies and oligarchies which, in accordance with an euphemism of their own, we are wont to call the ancient republics.

Let it be remembered, also, that loyalty includes the culture of every good gift of mind and heart, the creation by each of the best quality and the largest quantity of character attainable; for the very highest service which any man can render to his country is to be intelligent and wise, strong and brave, pure and upright, one on whose example, influence, and good offices society can always place implicit dependence.

As may be seen from the long list of titles prefixed to this paper, the pamphlet literature of our current quarter — almost the only department of letters which feels not the paralyzing touch of war — is largely occupied with the themes that lie nearest the heart of every loyal citizen of the United States. We have placed at the head of our list the only pamphlet sermons on our national affairs which we have received since our last issue; but we could hardly enumerate the sermons of marked power and excellence, covering the same ground, that have come to us in the secular and religious newspapers. The relation of the American pulpit to the great crises in our national history is well worthy our emphatic notice. Very slightly infected with the ultraism which denies the right of self-defence, and which therefore, in opposition to the express words of the Divine Teacher, maintains that this earthly life is too precious to be yielded up in the cause of truth and righteousness, our clergy have consistently adhered to the principle that life may be lawfully jeoparded or destroyed where the highest interests of humanity are involved, but only then. True to this ground, they were among the pioneers of the Revolution; many of them were in the field and in active service; and from pulpits all over the land went forth the most stirring appeals to patriotism, the most indignant protests against compromise with tyranny. With the establishment of our independence commenced the palmy days of clerical popularity and influence. We doubt whether religion in its vital significance had a stronger hold on the general heart than it has now; but its ministers for more than an entire generation were the objects of a reverence and homage which seem almost mythical, and which accrued to them in large measure in recognition of their patriotic zeal and devotion. The war of 1812 found the clergy still consistent with them-

selves, and loyal to their religious principles. They, almost to a man — we speak chiefly of the New England clergy — refused to recognize the rightfulness of a war which, as regarded the higher ends of human well-being, was utterly aimless and useless; they mourned its victories as if they had been defeats, and were in vehement opposition to the administration and the party that had plunged the country into a needless and disastrous conflict. Still more intense was the protest of the American — certainly of the New England — pulpit against the Mexican war, which had not even a pretext of need or justice, which had no end but the extension of slavery, and in whose successful issue many of the clergy, endowed with foresight by their position above the arena of party strife, beheld the undoubted foreshadowing of the very events that are now taking place. We honestly believe that the diminished honor and deference now rendered to the ministers of religion in our Northern States is to be mainly ascribed to the noble stand they took against these two wars, which, however defensible on grounds of policy, were manifestly indefensible in accordance with the principles of Christian ethics, — a stand in which they present a striking contrast to the sycophancy of the English Church, whose prelates cast not a vote, and whose clergy raised hardly a voice against the opium-war. But now that, for the first time since the patriots of the Revolution sheathed the sword, it is drawn in a just and holy cause, none take precedence of the clergy in patriotic fervor; many of them have entered the public service at a heavy and costly sacrifice; and those who remain at their posts are foremost in the administration of the various methods of relief, supply, and comfort in which our defenders on the field are sustained by the collective sympathy of the communities that have sent them forth. Whether through this undesigned accordance of clerical influence with the reigning sentiment of the people the clergy will regain in the public esteem the ground which they had lost, is a question which they would be the last to raise. Enough for them that they are true to their Master and their mission.

Dr. Lothrop's sermon is a carefully prepared and elaborate discussion of the causes of the present war, with a brief, yet

distinct and emphatic, summary of the results to be sought from it by the loyal portion of the republic. He regards slavery as the sole source of the jealousies, controversies, and sectional alienation that have now culminated in open hostility. He enters somewhat in detail into the history of the slavery question, and vindicates the right of the North, not indeed to interfere with Southern institutions on their own soil, but to take cognizance of slavery and action upon it wherever it comes into contact with the general administration, or with the local rights and interests of Northern States or citizens. The discourse is calm, candid, judicial, composed almost wholly of clear statement and reasoning on undoubted facts. We quote the following from the closing pages: —

"Under civil institutions, republican and representative in their character, where there are legitimate, constitutional channels provided for the expression of the popular will, through which the government can be modified, its organic or its statute laws reached, altered, amended, so as to meet the wishes of the majority, or protect the rights of a minority, there can be no justification of rebellion that will stand before the world, or secure a verdict of approval from the pen of impartial history. If we would secure that approval, foreshadowed now by the patriotic instincts of our hearts, let us stand by this constitutional government of the United States, and, at whatever cost, carry it through to the legitimate results of this conflict.

"There cannot be much difference of opinion among wise and patriotic men, as to what these results should be. The suppression of rebellion, and the just punishment of treason in the persons of its leaders; the establishment of the authority of the United States government over all the States and all the people who have assumed to defy its power, and renounce allegiance to it; the decision of the question of the right of secession without leave asked or granted, by the practical nullification of the right; and a settlement, in some manner, upon some principle or basis, of this whole subject of slavery in such way that it can never again be so brought into politics as to disturb the peace, or endanger the safety of the Union; — these are the objects to be sought, the results that ought to be reached through this conflict. . . . . If ever there was a necessary and righteous war, in which the Christian patriot might buckle on his armor with a clear conscience, and seek a Divine blessing to give energy to his arm and a right direction to his blow, it is this war, in which we are seeking to save a continent from anarchy, and thirty millions of people from political severance; to uphold a gov-

ernment which, whatever defects attach to it, is the wisest ever framed, and, whatever faults have marked its administration, is the most beneficent that ever ruled. The instinct of the great heart of the people is right in this matter, and nothing in our own history, or the history of any nation, is more wonderful or sublime, than this sudden, hearty, universal uprising of the North, as one man, to sustain the honor of the nation's flag, and the authority of the nation's Constitution and government. Nothing is more sublime than to witness, nothing more grand than to share in the inspiration of a whole people, lifted above the weakness, the dependence, the selfishness, of human nature, by the power of a great and noble sentiment, that nerves them for effort, and sacrifices, and endurance. In this inspiration, which has passed like an electric shock through all the Northern States and people, and had glorious manifestations in all, Massachusetts has largely shared; in this uprising, she has stood nobly forth, and 'every one has helped his neighbor, and every one has said to his brother, Be of good courage." Through the energy of her Executive, through the promptness of her volunteers, through the ready outpouring of her wealth, and the rich gifts, the work of the hands and hearts of noble women, — her daughters, — in all the manifestations of herself at this period, Massachusetts stands nobly forth, loyal now, as ever, to the great principle of constitutional liberty and government." — pp. 48 – 51.

Mr. Bulkley's sermon was preached the Sunday after the evacuation of Fort Sumter. It is at once wise and eloquent, indicating a full appreciation of the magnitude of the crisis, firm confidence in the ultimate triumph of the right, and an humble religious trust in God the Judge and Vindicator. Apart from its really great merit, it deserves to be read now, and transmitted to posterity, for its references to the author's birthplace, and to the transactions of the preceding week in the town where it was delivered. We copy, for permanent record, the passage to which we allude, which, with the notes appended to it, belongs to history: —

"Since the last quiet Sabbath day, my hearers, when we sat here anxiously awaiting, but not fully apprehending, what the next day would declare, our community, with every other in the land, has been vibrating with constantly intensified excitement. No rehearsal of its course and growth is necessary. It has been like the hurrying to and fro of the very same week eighty-six years ago, when the rallying-cry of freedom followed the volleys of musketry on Lexington meeting-house hill. The renewal of that cry has been like a tocsin alarm, responded to

with an alacrity, of which I am as proud, as I am ashamed that I had my birth and early boyhood within sight of Sumter's humiliated walls. There is no need of appeals to patriotism, in a town, which sent forth its men at the next dawn after the news, and in three days had them at the point of need, the first uniformed and armed body of State soldiers at the Capitol, fighting their way through a murderous mob, which carried wounds and deaths into their ranks.*

"There is no lack of patriotic hearts, when one commander,† prevented by years and uncontrollable circumstances from casting in his lot with his men, sends the three sons of his household to represent his name." — p. 13.

Dr. Bartol's sermon is marked by his wonted richness and delicacy of thought, and pictorial vividness of style. It is an enumeration of the sacrifices we are making for our country, costly, indeed, and unspeakably precious, yet unworthy to be named in comparison with the infinitely greater alternative, sacrifice of freedom and integrity, of all that has been the glory of our land, of all in the future that can insure for us an honored name and place among the nations. We cannot forbear copying the brief sketch of the life of the brave and accomplished young officer whose death called forth this beautiful tribute to his memory: —

"William Lowell Putnam, born July 9th, 1840, Lieutenant in a Massachusetts company, fell bravely fighting for his country, in the act

* "Fort Sumter was evacuated by its brave little garrison of less than one hundred men, on Sunday afternoon, April 14th, after sustaining an almost unintermitted bombardment of thirty-four hours, from seven thousand men, and powerful batteries. The President of the United States issued his proclamation on the 15th, calling for seventy-five thousand soldiers from the several States to suppress the rebellion. Late in the evening, — nearly midnight, — Captain Eusebius S. Clark received orders for his command, — Company B of Groton, attached to the Sixth Massachusetts Regiment, — to proceed by railroad to Lowell in the morning. The men who were to be notified were scattered over this town, in its territorial extent one of the largest in the State, and some were found in adjoining towns. Early the next morning, in the midst of a storm, the Groton company joined its regiment, having a number of men who, together with some staff-officers of the regiment, had been connected with the congregation to which this discourse was addressed. They made rapid and triumphal progress towards Washington, until in Baltimore they were attacked by a ruffian crowd of enemies of government, and, though they bravely pressed through, three of the regiment were killed, and several severely wounded. This was on the 19th of April, the anniversary of the battle of Lexington. A second time was Massachusetts blood the first to be spilled for freedom!"

† "Lieut. Colonel Walter Shattuck, of Groton."

probably of at once leading on his men and making a step to the relief of a wounded officer, in the battle of Ball's Bluff, October 21st, 1861, and he died, at the age of 21, the next day. The State that gave him birth, and to which he gave back honor, joined with his kindred and friends in celebrating his obsequies in this church, last Monday, October the 28th. The coffin lay on the same spot occupied, nine months ago, by that of Dr. Charles Lowell, his maternal grandfather. The corse of the soldier and hero, surmounted with the sword unwielded and motionless in its scabbard, was not unworthy to succeed here that of the preacher and saint; for spiritual weapons were no cleaner in the hands of the first than carnal ones in those of the last. Striking was the contrast made by the youth's silken locks and smooth, fair cheeks, cold in death, with the white hair on the furrowed brow that had also reposed at the shrine so long vocal with well-remembered tones of an eloquent and holy mouth. But there was more union than separation. The benignant resolution of the elder's expression was repeated in the sweet firmness of the young man's lips. They seemed as near together in spirit as circumstantially wide apart. The two venerable names of Lowell and of Putnam — the eminent jurist, as beloved as he was distinguished — were well united in that of the youth; for he justified every supposable law of hereditary descent by continuing in his temper and very look, with the minister's loving earnestness, the singular cordiality, the wondrous and spotless loving-kindness, which in his paternal grandfather's manner was ever like a warm beam of the sun. The delicacy due to the living allows me only to point to a picture such as is seldom exhibited, in his only surviving grandparent, of an intelligently contented, industriously cheerful, Christian old age, — still growing riper and fresher towards almost ninety years. A worthy grandchild William was. He bore out in action, in danger and death, every rising signal and promise of his brief but beautiful life. In the conflict, he cared more for others' peril than for his own. He sank, from all his forward motion, under one mortal wound. But, while he suffered, he smiled. He deprecated any assistance to himself as vain; he urged all to the work before them, and even forbade his soldiers to succor him. 'Do not move me,' he said to his friend; 'it is your duty to leave me; help others; I am going to die, and would rather die on the field.' With noble, yet well-deserved support, however, he was borne nearly a mile to the boat at the fatal river's brink by Henry Howard Sturgis of this city, who left him only to return to fight in his own place, and afterwards watched him like a mother in the hospital, hoping for his restoration. As he lay prostrate, knowing he could not recover, he beckoned to his friend to come to him, that he might praise

the courage of his men in the encounter, rather than to say anything of himself. With such patient composure he endured his anguish and weakness, probably no mortal but himself could suspect how far he was gone. He sent home the simple message of love. Brightly, concealing his pangs, he wore away the weary hours. Cheerfully, on the Tuesday morning which was his last on earth, he spoke to his faithful servant, George. He closed his eyes at length, and did not open them again, presenting, and perhaps knowing, no distinction between sleep and death. He 'is not dead, but sleepeth,' might it not have been said again? But, like the child raised by our Lord, he slept but a little. The greatness of his waking who shall tell?" — pp. 15 – 18.

Our literary anniversaries, during the last summer, furnished valuable opportunities for the inculcation of loyal sentiments on the cultivated mind of the North. We doubt whether on any one of these occasions a purely literary subject was chosen or would have been welcome, while patriotic utterances can have nowhere met a heartier response than from the students and alumni of our colleges. President Sturtevant's Address is profoundly serious, probing the morbid anatomy of our body politic for the causes of the existing civil war, and urging thorough reformation as that which alone can make success in arms of any avail in the creation of a future better than our lowering and stormy past. He lays especial stress on the political atheism, the "want of loyalty to right, to changeless, eternal justice," in which, we agree with him, all our social and public evils have had their origin. Never till our nation recognizes the immutableness of the Divine law, can its peace and prosperity rest on an immovable basis.

Dr. Henry's Oration, prepared for a literary anniversary, is mainly devoted to an exhibition of the deadening influence of slavery on patriotism. It is pure, chaste, and classical in style and structure, as is everything that comes from his pen, and at the same time singularly plain and direct, the orator retaining all the grace of his liberal culture while he throws aside the academic robes. He records in the following instructive paragraphs the growth and change of his own opinions on two subjects, with reference to which many honest and thoughtful minds have passed concurrently with his through the process he indicates.

"Last winter I thought that if the slaveholding States were deliberately determined to go out of the Union, and would do it peaceably and honestly, and wait until the thing could be legally accomplished, I would be for letting them go. I thought we should in many respects be well rid of them; and that they would learn some salutary lessons from the experiment of setting up for themselves, and after a little be glad to come back and behave better in the Union.

"But I am of a different mind now. Events have shown a settled determination on the part of the conspirators to effect a permanent division of the country. I see that the material interests of the nation demand the preservation of the integrity of the national domain. These Southern States are geographically and politically necessary to us as a nation. Those most necessary to round out and complete the national area are ours by every claim. We have bought them, and paid for them, and fought for them, and bled for them. What with purchase-money paid, — what with fortifications and defences built, — what with driving the natives out and the war waged with Mexico, they have cost us millions of treasure and thousands of lives. If the 'right of secession' for any of the original thirteen members of the Union be (as it is) an absurd claim, it is for these newer States too monstrously absurd to deserve a moment's regard. They belong to us by every title. They are ours of right, — ours as a necessary possession, — and we must keep them. It would never do to have an independent slave empire on our Southern frontier in possession of the Mexican gulf and of the outlet of the great rivers of the West. It would be a perpetual source of irritation, conflict, and war. The two great conflicting systems of social order could never live peaceably side by side. And even if they could, the cause of Christian civilization, and the great interests of human progress, forbid us ever to consent to the dismemberment of the national domain in order to establish a great empire based upon the contradiction of the Declaration of Independence.

"We have, it seems to me, no election. The rebellion must be crushed. Nothing short of this will do.

"And as to the fate of slavery in the sequel of the war, we must leave it to the future. Opposed as I am in my inmost soul to slavery, and delighted as I should be to see the Constitution purged of every recognition and guaranty to it, and brought back to perfect harmony with the doctrine of the Declaration of Independence, and believing, as I do, that this will some day be done; rejoiced as I should be at the entire extinction of slavery throughout the land, and confident as I am that it will some day be accomplished, — I have never been willing to

incur the responsibility of advocating the immediate emancipation of the slaves in mass, — especially in the lower States, where the slave population is so dense. I have indeed been in the habit heretofore of thinking, and on more than one public occasion have declared the conviction, that immediate emancipation would be no mercy to the slaves and a great curse to the country. But I confess to a less decided opinion now. I do not know that the slaves would be any better off at first. But I have less apprehension of results disastrous to social order and security than I formerly entertained. Manumission worked peacefully in St. Domingo for seven years; and it was not until the attempt made by Napoleon after that time to reduce the blacks again to slavery, that those scenes of bloody horror were enacted which have been so often held up to alarm and to warn. Emancipation worked peacefully in the British West India islands. It might work so here. Still the future of slavery in this country is to me a problem dark and difficult of solution. *But time makes many dark things clear*, — and often in a wonderfully short and decisive way. I am more and more every year impressed with this truth." — pp. 30 – 32.

Mr. Tuckerman's pamphlet, under the guise of letters written to a friend abroad, gives a very thorough and careful analysis of certain secondary causes of the rebellion, such as the decline of public spirit, the provincial isolation of a large proportion of the citizens of the South, and the effect of slavery on character. He, most appropriately, as regards the ostensible direction and purpose of his book, enters into a detailed exhibition of the falsity and the injurious tendencies of foreign criticism on American affairs. The following passage on the "decline of public spirit" has an obvious connection with the subject of this article, and suggests considerations well worthy the heed of loyal citizens.

"One of the most remote, and, at the same time, most pervasive, causes of the present disaffection, is the general neglect of civic duty. Flattered into passivity by an overweening confidence in the stability of our institutions, and repelled by the distasteful and troublesome process whereby the citizen's functions are realized, — engrossed by private cares and enterprise, and the sense of our privileges and obligations, as members of a great republic, deadened by material prosperity, we have, to a great extent, evaded the claims of our country, and the vigilance and activity through which alone her security and sacredness can be preserved. The field being thus deserted, statesmanship has declined,

and politics become a trade; until the nation was aroused by the outbreak of civil war into consciousness of peril. The strife of party has thus been degraded into a vulgar scramble for emoluments; the able and honored representatives of opinion, whose very names were once watchwords of fidelity and of fame, were superseded by men of secondary ability and equivocal character; office was regarded as compensation for partisan service, with an utter disregard to fitness; patent abuses were tolerated; and corruption so invaded the administration of government, from venal legislation to an imbecile executive, as to afford every facility for treason. This demoralization was confined to no section; the patriotic sentiment remained, but its practical and organized expression was silenced by apathy and indifference, until actual violence succeeded base fraud; then, indeed, the dormant love of country awoke, — breathing in emphatic protest and earnest appeal from pulpit, rostrum, journal, — assemblies, armies, households, and official proclamations. Against these tardy but true utterances of popular sentiment — these prompt assertions of citizenship — these cheerful sacrifices for the public weal — was arrayed the conspiracy, slowly but surely matured by the want of respect for, and confidence in, the institutions thus allowed so long to be abused and contemned. The defection of so many officers of the army and navy of the United States, at the most critical epoch in their history, is one of those phenomena that cannot be explained either by the pressure of local exactions, or the influence of a fanatical infatuation. The habit of irreverence, the decadence of public spirit, the discontent induced by want of sympathy, the hope of promotion, the fear of unpopularity, and the urgency of political adventurers, combined to seduce men of weak minds or blind ambition; either the fever of faction, or the want of moral courage, rendered many of them an easy prey to the arts of designing demagogues, or personal disappointment coincided with fallacious theories, to make them oblivious of, and insensible to, that honor which, in all ages, has been the first instinct and the essential characteristic of the hero and the gentleman. When a Southern commodore was urged to resign, and take up arms against his flag and government, by the traitors of his native State, he replied, 'I have been in the service of the United States nearly half a century; have commanded three squadrons, been at the head of naval bureaus, enjoyed every honor, and had accorded every privilege in the line of my profession; and whatever social consideration I have enjoyed abroad, and honor and prosperity I have won at home, I owe to the sanction and the service bestowed on me by the government of my country; under these circumstances, fellow-citizens, would you, could you trust me, if I were to comply with your invitation?' They replied in the

affirmative. 'Then, gentlemen,' said the gallant commodore, '*I* could not trust *you*.' Many of these unprincipled renegades, and others who more justly may be called irresolute victims of what they call a 'divided duty,' have, since their desertion, bitterly repented, and already the social proscription inevitably following such dishonor has proved a speedy retribution. Still the fact remains; and whoever is familiar with the history of the American Revolution and the war of 1812, — whoever has felt pride, confidence, and protection in his nation's flag in distant lands, or knows its significance as an emblem on ship, arsenal, court-house, and capitol, may imagine what a perversion of the highest human instinct and the noblest human sentiment there must have existed, to allow an American officer of the army or navy voluntarily to forswear his allegiance." — pp. 8, 9.

"Cheap Cotton by Free Labor," if its calculations are as well founded as they are skilfully and accurately made, opens a subject of momentous interest to the inhabitants of the Free States, and of even greater importance to the seceding States. The author demonstrates — if his data are correct — that cotton may be raised with less pecuniary cost, less exhaustion of soil, and greater economy as to the secondary products of the culture, by free than by slave labor; that, even were the African race out of the question, there is disposable white force enough for a much larger than the present culture; and that the cotton lands are generally salubrious and free from dangerous epidemics. He proposes that the experiment be tried under the auspices of the national government, in Texas, where the German immigrants are already solving with marked success the problem of white labor in the cultivation of cotton; and he maintains that the result of the experiment would be the production of cotton at a remunerative price very considerably below the minimum at which slave-grown cotton can be furnished.

"The Rejected Stone" in the last pamphlet on our list is the immediate emancipation of the slaves in the rebel States by the act of the general government. The treatise abounds in earnest thought and glowing rhetoric. The author reasons poorly; but he paints vividly. He is conversant with slavery and its evils; he is an ardent patriot and philanthropist; and his burning words cannot but arouse in other hearts the senti-

ments that glow in his own. We are not yet prepared to acquiesce in his conclusions. We agree with him that the rebels have forfeited constitutional protection for their human chattels; we see plainly that the exigencies of the war may render emancipation inevitable; but it seems to us that this measure would, in the present posture of affairs, be disastrous equally to the slaves and the now dominant race. Whenever the Africans receive the gift of freedom, it should be under circumstances in which their industry could be directed and employed for the common good. Otherwise, a war of races would be inevitable; and this, while it might crush the rebellion, could hardly fail to make a desert of the soil on which it was waged.

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Art. VIII. — 1. *The Okavango River. A Narrative of Travel, Exploration, and Adventure.* By Charles John Andersson, Author of "Lake Ngami." With numerous Illustrations and a Map of Southern Africa. New York: Harper and Brothers. 1861. 8vo. pp. 414.

2. *The Last Travels of Ida Pfeiffer: inclusive of a Visit to Madagascar. With an Autobiographical Memoir of the Author.* Translated by H. W. Dulcken. New York: Harper and Brothers. 1861. 12mo. pp. 281.

Our instalment of "African Travels" for the past quarter is unusually small and insignificant. Only two works have come to our hand; and these not of high or permanent value; — neither of them adds much to geographical or ethnographical science; neither of them has more than mediocre literary ability or finish. The first-named, indeed, must be pronounced a very poor specimen of book-making. The style of Mr. Andersson's previous volume had not prepared us to expect a brilliant book; but in interest and variety "The Okavango River" falls off largely from the sporting narrative of "Lake Ngami." The bulk of the volume is ludicrously disproportioned to its substance of information, and the whole of the

thick octavo pages might easily be compressed into a thin duodecimo. The style is diffuse, conceited, and sentimental, redundant in weak epithets and incorrect metaphors. One of Mr. Andersson's peculiarities as a writer, which he evidently regards as a charm of his style, is the habit of recording his own thoughts, and his words in conversation, marking them with quotation-marks. These self-quotations are usually of the most trivial kind, and not a single saying of Andersson thus emphasized has in it, to an ordinary comprehension, either wit or wisdom. As he goes through Damara land, he says, "'Death,' I exclaimed, 'would be preferable to banishment in such a country.'" Another of his "exclamations" with which he favors us is, "Good God! there goes my wagon and some poor fellow with it." *Apropos* of some poisonous wild beans which his cook had picked up on the road, he writes: "Seeing him about to put them into the saucepan, I remarked, 'Mortar, I was once made very ill by eating those beans in a raw state,' adding that I thought they might prove harmless if properly prepared by fire." At another time he remarks to Mortar of the wind: "That 's a lusty blusterer." At another time he says, when "bull-elephants" were signalled: "'Capital!' I responded, in the same subdued tone." And these are fair selections from the thoughts and conversations of this lion-hunter, as they are scattered through the volume. He has, moreover, a ready supply of poetical and Latin quotations appropriate to the scenes and adventures which he describes; his wild beasts are "*feræ naturæ*"; one old elephant is a "*paterfamilias*"; among the Bushmen, woman is the "*belli teterrima causa*"; in the African forest he "could not, like the outlaws of the forest of Ardennes, recline

> 'Under an oak, whose antique roots peep out
> Upon the brook that brawls along the wood.'"

And as he gazes on Kozengo, after "muttering" two or three questions in prose, he adds in verse three lines as follows: —

> "So as I gazed on him, I thought or said,
> 'Can this be death? then what is life or death?
> Speak!' but he spoke not: 'Wake!' but still he slept."

His longest poetical quotation is from Pringle, "perhaps the

only poet who has derived inspiration from Africa." He is probably not familiar with the verses of Victor Hugo and other French and Spanish poets, but he evidently in this remark forgets some things that Cowper and Montgomery have written.

In the volume Mr. Andersson appears in three principal characters, — as hunter, as martyr, and as the head of an exploring expedition. As a hunter, he is of course skilful and fortunate, finds "a fair sprinkling of game" when he wants it, and "bags" giraffes, wild boars, lions, rhinoceroses, and elephants, with as much ease as a common sportsman would bag rabbits and snipes. Elephants are the game which he prefers to all others, and in the region where he travelled they seem to have been providentially abundant. They are the most profitable game to shoot, not only on account of the ivory, but on account of the large quantity of meat which they furnish. A full-grown elephant makes about two tons of beef, and the proboscis and feet are rare and epicurean delicacies. Mr. Andersson, however, seems rather to prefer lion cutlets to elephant steaks, and expatiates upon the white and tender flesh of the king of the forest. Some marvellous feats of eating among the native Bushmen are recorded in his volume, and the elephants which he slaughters are devoured by his camp-followers with wonderful rapidity. One painful confession this bold hunter makes, that in the night-time he is terribly afraid of a man-eating lion; and he gives at length a dream, in which one of these monsters appeared, and fascinated him, so that he thought his heart would burst. In the daytime he is a match for any enemy, "white or black, beast or man"; but when the grim old lion comes along at night, he is a miserable coward. We shall spare our readers any detail of Mr. Andersson's sporting adventures, by night or day, and any account of his numerous narrow escapes, — his "decent shooting," which means that "I bagged a fine stag koodoo and two giraffes," and the elephant charge, when *paterfamilias* "actually tore up by the roots and carried off a whole tree." A spirited engraving represents the "enraged brute" in the act of impaling the tree with his tusks, and reminds one of the stag which Münchausen shot with cherry-stones. His best

*long shot* seems to have been at an ostrich, which he killed at a distance of 1052 feet. "I felt proud of the performance."

As a martyr, Mr. Andersson is entitled to the sympathy of his readers. He is vexed with all kinds of "labors, dangers, and sufferings," is misled, cheated, threatened, loses men, animals, wagons, provisions, courage, health, and his way, and is compelled to frequent mournful meditations on his forlorn condition, and, to use his favorite word, "jeopardous" prospects. Here we have one of these sad outbursts: —

"Health and strength, time and the season, had been thus wasted and lost, heavy pecuniary sacrifices made, the life of men and valuable beasts jeopardized, bright prospects blighted, and all — all to so little purpose! My feelings on this memorable occasion may be more easily imagined than described."

The most exciting chapter in the volume, on the wild game of Omanbondé, opens with this touching retrospect: —

"It was now eight years and a half since I first visited Omanbondé. Eight years and a half! the fifth part of man's life in its full vigor. What was I at the beginning of this period, and what am I now? Where are the once ruddy cheeks? Where is that elasticity of foot and spirit that once made me laugh at hardships and dangers? Where that giant health and strength that enabled me to vie with the natives in enduring the extremes of heat and cold, of hunger, thirst, and fatigue? Gone, gone, — ay, forever! The spirit still exists unsubdued, but what with constant care, anxiety, and exposure, the power of performance has fled, leaving but the shadow of my former self. What have I accomplished during these long years? What is the result of all this toil, this incessant wear and tear of body and mind? The answer, if candid, must be apparently very little. This is a sad retrospect of the fifth part of a man's life while still in the pride of manhood. And yet I feel that I have not been idle, — that I have done as much as any man under similar circumstances could have done; and so, with this poor consolation, I must rest content."

This poor, broken "shadow of a man" has not lost his faculty in shooting elephants, as this chapter abundantly proves.

Mr. Andersson's intimation that his exploration was a failure is, we are sorry to say, quite substantiated by his narrative. He undertook to find and to describe the Okavango River, and

the region which it waters, starting from Otjimbingué on the Atlantic, near the Tropic of Capricorn, and travelling inland in a northeasterly direction. His route lay through a new country, where it was very necessary that dates, distances, and daily observations should be given. Although he kept a journal, he did not choose, or did not have time, to mention these minor details. It is impossible from his narrative to tell how far he travelled, or in exactly what directions; and the map which accompanies the American edition is not a copy from any map which he prepared, nor was there any map inserted in his book. There is as much indefiniteness in his narrative as in that of Du Chaillu, though by no means the same amount of anachronism and contradiction.

The length of time occupied by Mr. Andersson in all his journeys through the country of the Damara and the Ovambo was about two years. He left the coast on the 22d of March, 1858, and reached the missionary station on his return in the spring of 1860. For a considerable portion of this time he was prostrated by severe disease, and was frequently detained by want of water, by the jealousy of the savages, and by the excitement of sport. A good deal of time was also spent in retracing paths, where the way, after long trials, had been proved impracticable. Immense difficulties of roadway were encountered. Day after day the party were compelled to hew their path through an impenetrable thicket, and Mr. Andersson computes from an accurate calculation of the number of bushes cut down in the distance of three hundred yards, and the number of branches to each bush, and the number of strokes to cut each branch, that "the axe must have descended 12,000 *times in the course of a single mile*"; and that, in the course of two hundred miles, they did actually cut down 200,000 bushes and trees with 2,400,000 strokes of the axe! There are few feats of wood-cutting on record more remarkable than this; and it is heightened by the fact that this jungle was not on level ground, but on mountainous ridges, often very steep.

The region which Mr. Andersson traversed in his unfortunate journeys, where he had so frequently to return upon his path, and where he came near seeing things which he never

saw, and finding things which he never found, lies between the 17th and 23d parallels of south latitude, and the 14th and 19th meridians of east longitude. The surface of the country is mostly mountainous. The Kaoko range extends north and south, parallel with the coast, some fifty miles distant, and from this transverse ranges stretch far into the interior. The mountains are rugged, densely wooded, broken by ravines, with summits difficult of access. While there are several rivers of considerable size, — the Swakop, the Omaruru, a quarter of a mile wide, with beautiful scenery on its banks, the Omuramba, — and a great number of smaller water-courses, for a large part of the year travelling is made unsafe by the difficulty of finding water. The springs are very few. In the coast range of hills, granite is the prevailing rock; in the transverse range, the limestone, chalk, and carboniferous formations are most common. The most abundant mineral is iron; but this is not wrought. Vegetation is luxuriant, and the varieties of the flora are exceedingly numerous. In the low lands the heat is oppressive, and malignant fevers are a perpetual scourge. Thunder-storms are frequent and terrific. The wild animals include almost every kind which Du Chaillu found, except the apes; the insects are a torment as great as in the countries which Livingstone explored, and the herds of elephants are beyond computation. As for the people, they seem to be much like the other native tribes in their manners, their dress, and their disposition, as gluttonous, filthy, cunning, and false. There are numerous tribes which are continually at war with one another. The Ovambo dread the Damaras, and the Ovambuenge are constantly dreading the attacks of the Makololo. Of their language, their religion, and their slave-traffic, Mr. Andersson has very little to say; and in fact his picture of the native races is extremely imperfect. He prefers the wild animals to the wild men. He records some characteristic acts, as of the Damara females who handed some roots to his companions which the men refused to give, a charity which compels him to ejaculate, "Kindness, thou hast built thyself a noble temple, — woman!" Yet in another place he is moved by the loss of a servant, seduced from the caravan by the wiles of his wife, to offer the bitter sarcasm, "The Persian

monarch, who so ungallantly said that women were at the bottom of all mischief, was, I take it, not very far wrong." His observations of the lower races are more accurate than his observations of the human tribes. The most curious natural phenomena which he mentions are the "pink mirage," made by the reflection of the sun's rays from a mass of red granite; the omatali-tree, with its heart-shaped leaves, covered underneath with the honey-cells of insects, the *omomborombonga*, or *parent*-tree, which inspires Mr. Andersson to write an original poem of extraordinary doggerel, as remarkable as Napier's lines in the Swiss inn; the fact that all the acacia-trees are unsound; and the tremendous fires that continually break out in the pastures and thickets. Of the Okavango River, the northern limit of his journey, he has comparatively little to say. He corrects the error that it empties into the Atlantic, and soliloquizes it into the interior of Africa, takes a short sail upon it, has an interview with some of the Ovaquangari, the rude and warlike tribe on its northern bank, is made a show of by his sly boatman, expresses his opinion of the fair sex in this region, that they are "an exceedingly ugly-looking lot, — thick-set, square, with clumsy figures, bull-dog lips, and broad flat faces," — hideous enough without the grease and ochre which made them disgusting, and, except in lack of intelligence, suitable "models for the Furies." The river, as he saw it, was three hundred feet wide, with fertile, well-wooded, and picturesque banks, very full of fish, and as lively with ducks and geese as a sportsman could wish. Fever and unfriendly chiefs stopped Mr. Andersson's progress, and just as he has begun to find something new, he is compelled to turn back. He is barely able to describe the fish-traps of the Ovaquangari, which are not very unlike the weirs formerly used for alewives in Taunton Great River.

The twenty-sixth and twenty-seventh chapters, which are compiled from the narratives of other travellers, give a good account of the coast line for twenty degrees, from Cape Town to the Portuguese colonies. The style of these writers — Owen, Messum, and Morrell — is decidedly better than that of Mr. Andersson. The closing chapter of the volume tells of the island of Ichaboe, and gives a history of the important,

but short-lived, commerce carried on with that barren rock. This chapter is so well written and free from egotism, that we can hardly recognize it as the work of the same author who has given us in the preceding chapters so many platitudes in italics and quotation-marks.

The other work named at the head of this article, of no great value as a record of discovery, is yet far more respectable, both in style and tone, than the work of Mr. Andersson. Madame Pfeiffer always relates what she sees in a very natural, direct, and unassuming manner. Her present volume, the last, unfortunately, of an entertaining series, has found in Mr. Dulcken a competent translator, and its English is as idiomatic and correct as if it were originally an English book. The Introduction and the first seven chapters (about two fifths of the volume) are occupied with a well-written biography of the brave lady traveller, compiled by her son from her own manuscripts, the account of her journey from Vienna to Rotterdam, observations upon life in Bavaria, Prussia, Holland, London, and Paris, and the voyage to the islands of Bourbon and Mauritius, with descriptions of both those islands, their natural scenery, their industry, and the manners of their people. These have been so often visited that we need not dwell upon Madame Pfeiffer's story, which only confirms the accounts of previous travellers. The African portion of the book properly begins with the eighth chapter, in which the author gives a geographical and historical sketch of the island of Madagascar, which has the merit of exceeding brevity, being but seven pages in length. The history of the island certainly has few points of interest. Its first appearance in the books is in the voyages of Marco Polo in the thirteenth century. It was visited by the Portuguese in 1506; and in 1642 the French began that effort to colonize it, in which they have never fully succeeded, yet which they have never fairly relinquished, though their foothold in the island seems to have been lost since 1786. Equally futile have been the English attempts, within the present century, to colonize the island; and it is at present substantially an immense empire, subject to the despotic rule of Queen Ranavola, who, if Madame Pfeiffer's picture be correct, has the talent of the English Elizabeth

joined to the spirit of the Hebrew Jezebel, and is at once a sagacious sovereign and a blood-thirsty tigress. Her husband Radama presented a fine instance of an enlightened savage king, favoring civilization, opening public schools, introducing letters, abolishing capital punishment for many offences, and prohibiting the slave-trade. It is mentioned as an exception to his generally wise ordinances, that he forbade the making of roads, lest by these the English should be able to come in and possess the land. He was a skilful military leader, and was proud of his oratorical gifts. Unfortunately, his dissolute habits undermined a constitution naturally vigorous, and his death at the age of thirty-six was a terrible calamity to the island, in giving it over to the tender mercies of his fiendish consort. For three and thirty years this horrible female has tyrannized in Madagascar.

The population of Madagascar is not homogeneous. Four races inhabit the island, — Kaffirs in the south, Arabs in the east, Negroes in the west, and Malays in the interior. The reigning race is the Malay, to which Queen Ranavola belongs; and, with the exception of a small part of the southern shore, the whole island is now under her dominion. And it is a monstrous territorial empire for a savage prince, — nine hundred miles in length and four hundred in breadth, — larger than France or Austria. The population is sparse for so large an area, even when it is reckoned as high as six millions. In this great space all varieties of soil, climate, natural features, and vegetation are found; lofty, snow-clad mountains, large lakes and rivers, immense forests, broad plains, and impenetrable swamps. The wild animals are comparatively few. There are no lions or tigers, no elephants or giraffes; no game, in fact, which a sportsman like Mr. Andersson would condescend to shoot. Black parrots, wild hogs, wild dogs, and wild cats are the game of the island; and its worst vermin are black spiders and centipedes. Some native St. Patrick has cleared the island of venomous serpents.

Madame Pfeiffer was kindly warned before she came to this island of the difficulties she would find in travelling, and of the danger of trusting herself to the power of the malevolent queen. But she was not the person to turn back from any

enterprise, and its danger made it only the more attractive. Her first experiences were not encouraging. On landing at Tamatavé, after detention for many hours off the port, she was met by the peculiarly European salute of the officers of the customs, was personally inspected by them, and her baggage was carefully "visited." Her impressions of the boarding-house of Mademoiselle Julie, the Frenchified Malagasey matron, were those of dirt, discomfort, and disgust. She was compelled to observe the style of daily hair-dressing, and its entomological revelations; to submit to all kinds of impositions; to hear conversation anything but chaste; and to take stoically the loss by larceny of watch and money. Her notes of this seaport of Madagascar, where she had to stay several weeks, are that immense cargoes of *oxen*, but *no cows*, are exported; that the houses of the common people are low huts, with no windows, one room, and two doors; that the bazaar is exceedingly wretched, the whole stock in trade of some dealers being worth not more than a quarter of a piastre; that meat is bought not by weight, but by the size of the piece, measured by the eye; that the *hide* of an ox is sold, as an epicurean delicacy, in strips with the meat; that coins are cut into *small chips*, and are readily counterfeited; that rice and avana, a sort of spinach prepared in fat, are the principal food, and rice-water is the principal drink; that bad smells are no objection to favorite dishes; that the spoons are made of *folded leaves;* that journeys are taken in sedan-chairs; that a master may beat his slave to death, provided his stick is not tipped with iron; that profligacy and thievishness are universal characteristics; that a man is entitled to all the children which his wife may have, whether she has been divorced or not, or whether he is living or dead; and that a woman divorced may have as many children as she wishes, though she may not marry again. The personal appearance of the Tamatavé natives, as she describes it, is repulsive in the extreme. Their hair is coarse wool, often two feet long, and plaited into "little tails" all over the head; their color is a muddy brown; their noses are flat, their chins protruding, and their cheek-bones prominent; their clothing is the *sadile*, a strip around the loins, and the *simbee*, a sort of white sheet which they wrap

about their limbs; the only decent feature is the white teeth, and in some instances the handsome eyes. It is incredible to Madame Pfeiffer that an educated Frenchman like Mr. Ferdinand Diche could have been willing to adopt the manners of such a race, and to become the lord of such a harem.

After a fortnight's stay at Tamatavé, Madame Pfeiffer was joined by her friend, Mr. Lambert, and on the 19th of May, 1857, set out on her journey to Tananariva, the capital, situated some two hundred miles westward, in the mountains. The journey, which was performed on lakes and rivers for the earlier part of the way, lasted twelve days. Between these lakes and rivers were *portages*, over which the boats and baggage had to be carried. When the mountain region was reached, the bad roads began, steep, slippery, rough, and impeded by thickets, equal to anything in Kurdistan, Sumatra, or Iceland. But the courage of the traveller did not fail, and her open eyes saw many curious things; the Kafia palm, with leaves fifteen feet long, from which mats are made; the sago-palm, with edible pith, which the natives will not eat; the water-palm, in which between the leaf and the stem the traveller always finds water; the *besa-besa*, the national punch, made of water, sugar-cane juice, and bitter bark; snuff taken not by the nostrils, but the mouth; the narrowness of the valleys, the rarity of the villages, and the misery of the people; the bitter grass of the mountains which cattle will not eat. On the way, too, they witnessed the celebration of the annual "Bath-Feast" of the queen, which corresponds to our Fourth of July, attended by the most wasteful slaughter of oxen, and the most extravagant drinking, singing, and dancing.

The limits prescribed to this article will not allow us to enter further into Madame Pfeiffer's experiences in the capital of Madagascar. She was unfortunate enough to get entangled in a plot of her friend, Mr. Lambert, and another favored foreigner, Mr. Laborde, with the crown prince Rakoto, to dethrone the queen and bring about a revolution. The plot was discovered, and imprisonment for some weeks in Tananariva, a hasty return journey to the coast, and a peremptory banishment, were the result of the Quixotic enterprise. Her ill-fortune Madame Pfeiffer attributes in no small degree to the Protestant mission-

aries, for whom she frequently expresses her strong dislike. She was, however, singularly favored in being permitted to depart alive, since Queen Ranavola's practice was not usually lenient to such offenders. Her danger did not interfere with her observations, and, in spite of plotting and captivity, she used her time to advantage. She tells of the Sikidy oracle, by which the fortunes of men are divined from the form taken by beans and stones shaken together; of the army discipline, by which the captain of a company is bastinadoed, if many of his men are absent from review; of the *eleven castes*, from the royal family to the black slaves; of the royal palace, "one of the wonders of the world," the chief column of which occupied twelve days in its erection, and employed five thousand men; of the *tanguin*, or test by poison, an ordeal of dreadful certainty, which can be successfully passed only in almost fatal purging; of the queen's ingenious logic, who when her goldsmiths and silversmiths had furnished to her order better work than they at first produced, praised their work, but had them sold as slaves, because they had not at first done their best; of the funeral and the monument of the favorite bull, bull-fighting being a national pastime; of the "foot-boxing," or kicking match, a popular winter amusement, very dangerous to limbs and bones; of the *dainties* of Madagascar, beetles, locusts, silk-worms, and other insects; of the excessive indolence of the people, and their excessive voracity; of the receptions at court; of the Kabar, and its horrors; and of a hundred other entertaining things in the customs of the people and her own adventures. The one statement to which we are not yet prepared to assent is, that the people of Madagascar have *no religion* and *no idea of a God*. It may be so; but Madame Pfeiffer has not given sufficient proof of the fact.

ART. IX. — *Sermons preached in the Chapel of Harvard College.* By JAMES WALKER, D. D. Boston: Ticknor and Fields. 1861. 12mo. pp. 397.

WE sometimes encounter in persons of strong religious sensibilities an indifference to preaching, which, so far as it reaches, tends to justify itself by discouraging careful and diligent preparation for the pulpit. This indifference often assumes — and we doubt not sincerely — a highly devotional aspect. It is frequently asserted, as a proposition which in order to be received needs only to be stated, that the legitimate purpose of a religious assembly is not the listening to instruction, but the collective offering of praise and prayer; and at the same time it is taken for granted that the supreme importance attached in some quarters to the sermon indicates a very low type of spirituality. We are disposed to join issue with those who occupy this ground, and to deny that in a just scale of values worship takes precedence of preaching.

Were we to try the issue by the plenary authority of the New Testament, the verdict would unquestionably be on our side. It was for the purpose of preaching that the Founder of our religion ordained his twelve apostles and his seventy disciples, and this office occupies the chief place in his parting charge. Throughout the Acts of the Apostles we read constantly of preaching, while there is only the most cursory reference to any social expression of faith and piety. The apostolic Epistles recognize preaching as the one instrumentality of Divine appointment and of paramount efficacy for the salvation of men and the growth of the Church. In St. Paul's charges to Timothy and Titus, rules are given for their preaching, but none for their conducting the worship of a Christian assembly. In fine, he who should approach the inquiry without preconceived opinions could not fail of the conclusion, that, in the esteem of the sacred writers, the setting forth of the facts, truths, and promises of the Gospel was the chief office of the Christian minister and the chief purpose for which an assembly was to be convened, and that all else occupied at best only a secondary and auxiliary place.

We should reach the same result by an analysis of the several parts of the public service. Preaching is the only part that really demands a peculiar order of office-bearers in the Church, or presupposes a gathering larger than a single household. Prayer and praise are individual acts, and are intimate and fervent in the precise degree in which the individual can isolate himself, and be conscious of no presence but that of the Omnipresent. Every devout soul has its petitions and thanksgivings which the voice of another cannot offer, its conflicts, doubts, and fears, in which it must "tread the wine-press alone." Next, in point of interest, solemnity, and fervor, to secret prayer, come the services of domestic worship, in which a close community of experiences and of interests may render the devotional words uttered by one member of the family the approximate, though never the adequate, expression of what all feel, or ought to feel. But in the public assembly, the salient points of individual experience, which often most need to be upborne in entreaty or in gratitude to the soul's Author and Father, must be precluded and ignored; the worshipper cannot individualize himself, and must frequently find the very themes which press with the most anxious weight upon his own thoughts wholly unrecognized. And even were public devotion all that heart could wish, it needs not a separate profession in order to its edifying performance. If it flow from the heart and in the words of him who conducts it, there are in every congregation persons as pure as the minister in life and character, and therefore as unlikely as he to degrade the service by unworthy associations with its leader, and not unfrequently there are parishioners whose devotional utterance is more free, glowing, and edifying than their pastor's. Or if forms of prayer be used, they may be read as reverently and as acceptably by a layman as by a clergyman.

Preaching, on the other hand, demands the assembly. It is not perfect, except a goodly company be convened. The aggregate of individual receptivity and edification is in proportion to the number of worshippers. It is intrinsically a social, a public exercise. It requires, too, a separate order of men for its adequate and profitable performance. It demands intellectual discipline and preparation, close study of the Scriptures,

logical acumen, and rhetorical skill; and it needs, for the religious criticism of life, that the critic stand somewhat aside from the arena of business and conflict, where he can take clearer views and present more impartial estimates of the ordinary objects and modes of human endeavor and activity than if he were himself involved in the *mêlée*, and drawn with the multitude in the chase.

Preaching also has a more universal adaptation than worship. In the latter only the devout join; while the former is addressed to all, and especially to those who bear no part in the prayer. This distinction holds good, wherever what calls itself prayer deserves the name. We know very well that exhortation, rebuke, and expostulation are sometimes addressed to the Deity, while they are designed for the congregation; but this is an irreverent perversion and abuse, rather than a legitimate mode of worship. When properly conducted, public prayer at the most recognizes and expresses the degree of devout feeling already existing in the assembly; and its duly calm, simple, and solemn utterance, while it tends to intensify, does not strongly tend to diffuse that feeling. But the sermon has for its aim that those who come to scoff may remain to pray, as well as that those whose religious character is already formed may grow in goodness.

Preaching, also, is the only service that is peculiar to public worship. Prayer belongs everywhere, and is always appropriate. "Psalms and hymns and spiritual songs" go up with as rich an unction from the family circle as from church or cathedral. At the same time, the devoting of only one or two hours each week to these duties would be equivalent to their entire neglect. But preaching has no other appropriate place or time than that afforded by the public assembly. There is no need that its occasions be multiplied; for the hearers may gain in a single half-hour thoughts worth the meditation of a week and the embodiment of a life. Could preaching become daily, or could anything like preaching obtrude itself upon secular occasions, it would lose more in impressiveness than it could gain by its increased copiousness of opportunity and utterance.

Experience confirms the views we have now expressed.

There never has been a time when the offices of devotion have languished in the Church, or have lacked a rich apparatus of holy words and imposing ceremonies. On the other hand, the forms of worship have in numerous instances been the most gorgeous and impressive where the religious sentiment has been the least fervent, penetrating, and pervading. But wherever religion has had a feeble hold on the practical conviction of men, preaching has either gone out of use, or has become jejune, formal, and vapid. In the early days of the Church, preaching, as we have seen, was the chief part of the public service. It declined as the lustre of primitive piety waxed dim. It revived with the dawn of the Reformation. It has preceded and accompanied every great awakening of the religious world. Luther and Melancthon, Wickliffe and Latimer, were the most pungent and powerful of preachers. In more recent times, every movement in the direction of vital Christianity, every marked reform in doctrine and in life, has been heralded by its company of earnest, efficient preachers. The liturgy of the Church of England comprises forms of devotion immeasurably loftier, more adequate, more comprehensive, than could be furnished except by the accumulated piety of ages. Yet it had been used, with all the accessory beauty of holiness, for centuries, and meanwhile the nation had been sinking into spiritual lethargy, indifference, and scepticism, until the preaching of Whitefield and Wesley inaugurated an era of truer faith and more fervent piety. In our own day, the sermon is deemed of the highest importance in precisely those quarters of the Church where there is the greatest amount of zeal, self-denial, and religious activity; while indifference to preaching is very apt to be found in close covenant with those forms of worldliness, selfishness, and fashionable dissipation, which involve no open immorality, but would find themselves condemned by a pulpit true to its mission.

Probably in no portion of Christendom has the sermon been held in so high esteem as in New England,* and certainly nowhere else is there so general a recognition of the truth and

* What we say of New England is equally applicable to other portions of the country, that have derived from New England the controlling elements of their population and character.

need and power of Christianity. We say this with a profound and sad confession of degeneracy from the ancestral type of piety, and of the prevalence in certain quarters of a latitudinarianism which can hardly be discriminated from infidelity. Yet even by those who will not yield to it, Christianity is recognized as a force, and of those who disbelieve it, the greater part have too strong a reverence for it to assume toward it an avowed antagonism; while a larger proportion of the people than in any other district of Protestant Christendom find in the religion of the New Testament truths which they desire to understand, and precepts which they mean to obey. Therefore is it that preaching is here regarded as the prime function of the clerical office, that the ability to preach well is the first desideratum in a pastor, and that in the public estimation the clergy take rank mainly in the ratio of their capacity and success as preachers. Moreover, in all denominations among us, it is the most believing and serious congregations that still regard the sermon as the central object of interest in the public service, and look on with distrust while the substitutes for it which are proposed from time to time gain brief and limited favor.

In accordance with this condition of the public mind, the sermon holds a higher place in our literature than in the literature of any other people. We are by no means vain of American authorship, and have often recognized the justice of our severe Transatlantic critics, while we have censured their malignity of spirit. But our sermons hold the first place in our prose literature, and in this department — in this alone — we are disposed to claim precedence of our contemporaries in the Old World. The best English sermons fall below our best in freedom and breadth of thought, in directness, in fervor, and in adaptation to the general mind and conscience, — while among the most popular English preachers there are those whose windy declamation would find no favor among intelligent American hearers and readers. Dr. Cumming would have here a very restricted reputation, and Spurgeon's coarseness and irreverence would here repel alike the cultivated and the devout, both of which classes are said to be largely represented in his audiences. The sermons of the most distinguished

German divines are rhapsodies, with but a slender substratum of thought, and are immeasurably inferior to their other theological writings. The great living Protestant preachers in France surpass all others in method, in brilliant rhetoric, and in range of illustration and ornament; but their sermons are addressed to the imagination, rather than to the will or the emotional nature, and are better adapted to awaken admiration than to produce conviction. The free church of Scotland alone, whose preachers have been nurtured under the voluntary system, and are prized for the spiritual results consequent on their labors, produces sermons that occupy, with reference to the religious needs of the human heart, the plane on which the American pulpit stands; but the Scotch sermon is apt to be redundant in verbiage, and deficient in point of pure literary taste.

With those who have heard Dr. Walker preach, we hesitate not to say that the first feeling in reading his sermons is disappointment in missing all that they owed to his revered presence and his living voice. With none of the arts of oratory or the conventional attributes of a great orator, he is impressive in his delivery almost beyond precedent. Every look and utterance denotes on his part profound conviction, — a mind thoroughly imbued, identified with the truths he preaches. He speaks not with the glow of one who is setting forth fresh, untried thoughts, but with the calm, subdued fervor of one who is drawing from the depths of long experience, exhibiting the constituent elements of his own inward life, proclaiming truths that lie in his mind as axioms, beyond controversy, above the province of reasoning. There is always a felt void, and perhaps never more than in this very instance, when one whom all trust, love, and honor, and who has been wont to speak to the ear, first addresses the same or like words to the eye alone.

There is yet another disappointment. Dr. Walker's style has seemed to his hearers more copious and fluent than his readers find it. With his slow and measured utterance, we have failed to estimate his severe conciseness; and with the blended dignity and grace of his delivery, we have not known how little he was indebted to rhetorical ornament. But his

diction is not rich. His command of language is feeble as compared with the range and magnitude of the thoughts to which he gives expression. Of the arts of dress by which the old is made new, and the commonplace original, he is wholly innocent. He employs metaphors only when their obviousness and directness make them seem literal, comparisons only when they offer the shortest and easiest route to the mind or heart of his hearer or reader. He has nothing of the kaleidoscopic faculty, by which a thought is presented in successive views, each time with a new cluster of accessory images. What he says he says once for all, in the simplest form in which it can be uttered, and then with a new sentence proceeds to another definite stage in the development of his subject. In every sermon he has a distinct aim, and that an aim always momentous as regards the body of Christian truth or the necessities of those to whom it is addressed. But if in the steps of his demonstration, or in preparing the way for his appeal, there is familiar ground to be passed over, he makes no attempt to hide the triteness, baldness, bareness of his statements, — nay, rather prefers, as it seems to us, to lead the mind or heart of his hearer on from what he admits as of course and of necessity, to what it is of vital importance that he be made to infer, believe, or feel.

But the reader who has sustained this double disappointment is destined to be a third time disappointed, to his joy and gratitude, in the wealth of weighty thought, cogent motive, and profound spiritual wisdom with which this volume is replete. Those who heard these very sermons were not aware how much there was in them, how they would grow on reperusal, how irresistible they were in argument, how forceful in appeal, how sure and deep in insight, how just and wise in the criticism of human character, how surcharged with the spirit of serene reverence and devotion. They are less productions than revelations of the author's mind and heart, and it is with them as with every manifestation of character, — their contents are not taken in at first sight; they have a reserve which invites and rewards the frequent return and review.

It is among the highest merits of these sermons that they are precisely what they purport to be, — not disquisitions, nor

orations, nor essays, — not such displays of learning or of dialectic skill as would be appropriate and welcome under any other name, — but simply *sermones*, *talks*, in a style adequate to the subject, — talks about religious truth and duty, expressly designed and adapted to enlighten, convince, persuade, — to commend Christianity to loving reverence and implicit obedience. There is no room for inferring any collateral purpose with this. On the other hand, we are often struck with the author's self-denying reticency on subjects lying just outside of his track, on which he would have spoken wisely and well, but not without digression from his directly religious purpose. There is often the clearest indication of an affluent mind in the choice from among all others of the one instance or example which best illustrates the proposition under treatment; but the preacher gives no hint of the instances or examples that must have been weighed, considered, and rejected, before the right one was chosen. Often, too, the subject is one which could have been mastered only by an extensive survey of details, the trial of successive hypotheses, and the careful discrimination between coincidence and correlation; yet of all this we see not the process, but only the results, in generalizations so complete and exhaustive as to indicate the thoroughness with which they were made.

We might refer, in verification of these remarks, to the sermon on "The Alleged Infidelity of Great Men." The subject in almost any other hands would branch off into biographical memoranda, the discussion of individual cases of infidelity, and the array over against them of illustrious names identified with Christian faith. Dr. Walker, on the other hand, cites very few names, whether of friend or foe. Some of those few are the very ones which a school-boy would have brought forward, and which one who had before his eyes the fear of being commonplace would have omitted to mention; others are such as would occur only to a man of extensive and various reading; but there is not one of them for which, where it stands, we could substitute another equally appropriate name. Then, too, when we have finished the sermon, though we have listened in vain for the roll-call, we find that the great men themselves have heard it, have been quietly marshalled into

their ranks, and have found their respective classes, — workers, thinkers, believers, sceptics, mistaken, mistaking, — and that there is no possible relation in which they can stand to Christianity, which is not specified and accounted for. Very much the same statement might be made as to the sermon entitled "Religion as affected by the Progress of the Physical Sciences." In this, very little of the ground covered by the title is referred to in detail; but the general principles established by the preacher comprehend the entire circle of relations between science and religion, and we doubt whether any intelligent person who had read the discourse could afterward regard science either as hostile to faith, or as directly and of necessity its ally.

We have referred to two sermons on subjects peculiarly appropriate to a University audience. There are several others in the volume which would have lost something of their aptness, if they had been preached before an ordinary congregation. But by far the larger number of these discourses have nothing either in subject or in treatment which would mark the place where they were delivered. We have such subjects as "The Mediator," "Conscience," "Sins of Omission," "No Hiding-Place for the Wicked," "The Day of Judgment," and numerous others which belong to the rudiments of personal religion and practical piety. Nor does the author deem it needful to discuss these themes with any parade of dialectics or of scholarship, but he proceeds in the simple, downright way in which he would urge essential truth or incumbent duty on any class of hearers that understood the power of words. In this we cannot but recognize Dr. Walker's wisdom and sagacity. One of the great lessons of revealed religion is the equal amenableness of all classes and conditions of men to the law and the judgment of God; and this lesson is blurred and mutilated when the preacher holds back from any the plainest, most direct and home-coming utterances on duty, sin, accountableness, and retribution. Moreover, we are very certain that this style of preaching is nowhere more acceptable than among persons of the highest cultivation, and within the precincts of our literary institutions; while those who fail to edify such audiences are those who, in the consciousness that they are

addressing scholars, forget that they are still more addressing sinners, dying men, invited heirs of immortality.

One striking characteristic of this volume is its conversatism as regards both ethics and theology. Says one of its critics: "Not a word is said, or a thought hinted, that could in any way unsettle the belief, or disturb the feeling, of those who rely most intimately on external authority, or cling most closely to the old symbols of faith." The critic adds: "Certainly, before an audience such as we have described," (a university audience,) "and for the best influence on most Christian congregations, this is right." It is right, we believe, because in accordance with the truth. But does the writer mean to intimate that it is useful to "most Christian congregations," and to young men in college, to inculcate a reliance on false authority, or adherence to false beliefs? Is the old a more wholesome *pabulum* than the true for our religious assemblies? Or are the future scholars of our land to be trained in dogmas which they will outgrow, and learn to despise? And is the head of a university to be praised for teaching what he is too wise to believe? Or, to go further, has the Author of truth and the Creator of man so ill adapted the human mind and soul to the realities of the spiritual universe, that man is more benefited by ignorance than by knowledge of those realities? Nay, does not the admission that the postulates of neology are not fitted for the edification of "most Christian congregations" and the proper development of character, betray a tacit consciousness that those postulates are baseless assumptions? Did we suppose that Dr. Walker admitted the distinction between the esoteric and exoteric, and presented in these discourses other views of truth than those attested by his own consciousness, so far should we be from commending this volume, that there would be no limit to our indignation at such a grave and solemn imposture. But believing, as we do, that our author speaks on these subjects from his own mature conviction and experience, we are profoundly grateful to him for his testimony to the worth, sanctity, and power of verities which have stood the test of the Christian ages, and which are now assailed by no arguments that have not been met and refuted in past centuries, many of them, indeed, by the earli-

est defenders of the faith, some of them by the recorded words of the Saviour and his immediate followers.

In an age when the spasmodic in literature, that which produces "a sensation" in oratory, the radical in morals, the audacious, irreverent, and destructive in theology, finds extensive currency and wins large applause, we feel by no means sure that this volume will "enjoy immediate popularity," or will "do justice to the author's reputation." But if not, it can afford to wait. It will outlast much that will have noisy welcome and diffuse panegyric. It will edify serious minds, confirm the faith of those whose prayer is "Increase my faith," awaken manly religious purpose, form the characters of ingenuous youth, and illustrate the perfect harmony of the highest style of intellect with the repose of pious trust on the testimony of God-inspired Scripture. We rejoice that these Sermons have been given to the world. They are a worthy memorial of the author's unsurpassed ability, skill, and fidelity as a religious teacher, and especially of his fitness for the place he has so honorably filled as the head of an institution inalienably consecrated "to Christ and the Church."

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Art. X. — *Speeches at the Annual Banquet of the Lord Mayor of London, Nov.* 9, 1861. National Intelligencer, November 27, 1861.

It may be stated as a result of our examination of the alleged Right of Secession, that the people of the several States composing the United States, under the Constitution, — whether that instrument be regarded as an organic law, or as a compact, — form an entire Nation, for the purposes for which they are thus united; while under their State organizations they exercise many powers of sovereignty, of a political and municipal character, some of which are subordinate to the powers of the General government, and others independent of that government because they do not fall within the scope of the purposes for which it was organized, and all "powers not

delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

This nation has, for the accomplishment of the objects of its existence, all the attributes of sovereignty. The Constitution—providing that itself shall be the supreme law of the land, and binding upon all the judges of the several States, anything in the constitution or laws of any State to the contrary notwithstanding; requiring all the legislators, and executive and judicial officers of the United States, and of the several States, to take an oath or affirmation to support it; and defining what shall constitute treason against the United States—shows that, so far as the objects and purposes of the national government extend, an allegiance is due to that government from all the citizens within its limits, paramount to and exclusive of any allegiance due to the several States, because the allegiance to the State arises under the State organization and constitution, which, to the extent covered by the Constitution of the United States, are subordinate to the authority of the United States, under that Constitution. There can be, therefore, no right on the part of any State, or of the people of any State, through or by any State authority or action, or by any popular vote, to terminate this allegiance to the United States.

The Union under the Constitution being perpetual and indissoluble, it is to be subverted only by the exercise of the right of revolution, for sufficient cause. And this right of revolution is a personal, and not a State right, and of an imperfect character; for an attempt at revolution is legally, in its inception, and until it is attended with success, neither more nor less than rebellion against the existing government, which of course has at least an equal right to resist the attempt by all the forces at its command. It follows, therefore, that those persons who have been active in the attempted secession of the several States have, as respects the United States, no authority derived from any State organization; nor any exemption, through the color of any exercise of State authority, from the ordinary consequences which attach to an insurrection or rebellion. No convention of the people of a State could confer any authority to resist the government of the United States,

in the full exercise of its functions, in all of its departments, legislative, executive, and judicial; and still less could any act of a State legislature give any color of legal authority for such resistance, whether such legislature assumed to act under the State constitution as it existed before the attempted secession, or under the authority of a convention which, having declared the secession, assumed to confer new legislative powers, or to adopt a new constitution. All persons who have placed themselves in hostility to the United States by acts of war, are of course responsible personally for those acts, as rebels and traitors. The State which they assume to represent is not responsible, because the State, as a State, did not, and could not, in any mode, give authority to commit acts of rebellion and treason. There is no war between any State, admitted into the Union, and the United States; because the State itself — the legal, constitutionally organized State — is not in rebellion; and there is therefore no authority to confiscate the property of any State, as State property, for any such State offence. The persons who have seized upon the State organization for the purposes of rebellion, and who wield an apparent State authority for such purposes, — who have, moreover, created a confederation under this usurpation, and style themselves governors and senators, generals and captains, president and secretaries, — are in no manner shielded by their titles or offices from the punishment due to their acts of treason, which are, in fact, in more senses than one, committed on private account.

This serves to show that the proclamation of President Lincoln, treating the seizure of forts, arsenals, and dock-yards, and the bombardment of Fort Sumter, as acts of insurrection, and requiring those concerned in them to retire peaceably to their respective abodes, was not only in precise accordance with the requisition of the statute of 1795, but was founded upon the only correct legal view of the existing state of things which called it forth. The acts of hostility against the government had, perhaps, assumed such formidable proportions as to be appropriately designated as war; but it was a war of persons owing allegiance to the general or national government, and not a war of governments. Those acts were not

more than acts of treason because millions were engaged in them, and they were not less than acts of treason because of the assumed titles, military and civil, or of the assumption of State or Confederate authority, under color of which they were committed. There were millions of people in India engaged in a war against the government of Great Britain, within a short period; and most of them acted under the orders of persons who stood to them in the relation of kings and princes, for certain purposes, having recognized authority for such purposes, but who had no authority for the objects and purposes of such a war; and they were all, kings, princes, and sepoys, held alike as rebels against the paramount government, — their guilt differing only in degree, according to the circumstances of enormity attending it. We do not inquire into the causes of that revolt, when we consider the case in its political and legal aspects in regard to the United States. That is a matter between the persons engaged in it and Great Britain. The government of the United States has nothing to dread from such an inquiry, in the present instance; but other nations will not enter into that inquiry, and it is foreign to our immediate purpose.

We perceive, therefore, that the criticism upon the proclamation of the President requiring the rebels to disperse, that it addressed its command in fact to millions, and that it was preposterous to require such large numbers, like an ordinary mob, to retire to their places of abode; and that other criticism which assumed that the States were the actors in the warfare which was waged, and that the statute and the proclamation could not apply, because the States had no abodes to retire to, — fail entirely of their intended force. Rebels may form political associations for themselves, and may assume to have a government for which they ask and claim recognition. They may, as between themselves, wield the powers of a State government, if they can usurp the State authority, and use it as if they were the rightful possessors of it. They may thus have a government *de facto*, and it may be, as among themselves, *de jure* also. But all this does not change their legal relations to the government against which they are in arms, until they have by their power accomplished the purpose of the insurrec-

tion, by a practical maintenance of their assumed independence.

We deduce from these premises the conclusion, that, as regards the United States, there is no right in any organization which these rebels and traitors have constituted — whether designated as State or Confederation — to enact a law, or to adopt an ordinance, which shall be recognized by the United States as having force or effect as a legal enactment, or as conferring upon any person power to be used in hostility to the existing government. There can be no lawful confederation of the States involved in the attempted secession, because there has been no secession of those States which is recognized as having any validity. They still remain as component parts of the United States, having doubtless a large loyal population, although the violence of the insurgents has for a time suspended the due exercise of the authority of the United States, and that of the State also, by a usurpation of the powers of the latter, and an exercise of the semblance of authority under the State organization. As States in the Union, the Constitution expressly forbids any confederation among them ; and for that reason also, if there had been no insurrection, and no attempt to array State authority against the national government, the confederation of the States would be unconstitutional; the self-styled Congress of the Confederate States an unauthorized body; and the so-called President of that confederation, and his cabinet councillors, suitable subjects for the criminal jurisprudence of the United States, on an indictment for a conspiracy, — if their acts of war had not made them liable to the graver penalty attached to treason.

As a necessary consequence of all this, the proclamation of Mr. Jefferson Davis, calling himself President of the Confederate States, in which he invited applications for letters of marque and reprisal against the United States, — or, in other words, in a legal view, Mr. Davis's advertisement for proposals to rob, under his sanction, such citizens of the United States as might have property afloat, — was no better than the advertisement of any other private person; and the letters of marque and reprisal issued by him as President, and countersigned by R. Toombs as if he were a Secretary of State,

are, as respects the United States, no better than so much waste paper, for the justification and protection of those who capture property under them. Such persons are amenable to the laws of the United States as pirates, under the act of Congress of 1790, Chapter 9.

The eighth section of that statute provides that, "if any person or persons shall commit upon the high seas, or in any river, haven, basin, or bay out of the jurisdiction of any particular State, murder or robbery, or any other offence which, if committed within the body of a county, would by the laws of the United States be punishable with death; . . . . . every such offender shall be deemed, taken, and adjudged to be a pirate and felon, and, being thereof convicted, shall suffer death." The ninth section enacts that, "if any citizen shall commit any piracy or robbery aforesaid, or any act of hostility against the United States, or any citizen thereof, upon the high sea, under color of any commission from any foreign prince or state, or on pretence of authority from any person, such offender shall, notwithstanding the pretence of any such authority, be deemed, adjudged, and taken to be a pirate, felon, and robber, and on being thereof convicted shall suffer death."

The insurgents are not absolved from responsibility under this statute by the fact that their offences were committed in the course of what in other aspects may have the character of war, nor by the fact that they have been taken prisoners in that war.

Martens admits the right of the conqueror to take the lives of prisoners in three cases: —

"1. When sparing their lives is inconsistent with his own safety; 2. in cases where he has the right to exercise the *talio* or to make reprisals; 3. when the crime committed by those who fall into his hands justifies the taking of their lives." — *Summary of the Law of Nations*, Chap. 3, Sect. 4.

Vattel concedes a right to punish prisoners who have been personally guilty of some crime against the captor.

"Prisoners may be secured, and, for this purpose, they may be put into confinement, and even fettered if there be reason to apprehend that

they will rise upon their captors or make their escape. But they are not to be treated harshly, unless personally guilty of some crime against him who has them in his power. In this case he is at liberty to punish them; otherwise he should remember that they are men, and unfortunate." — Book III. Chap. 8, Sect. 150.

It is by no means clear that those who come under the condemnation of this statute of 1790 by acts of force and plunder on board the Confederate privateers, would not be liable to the same condemnation under the rules of public law; for although a pirate is generally described as *hostis humani generis*, because the buccaneer ordinarily makes war indiscriminately upon the vessels of all nations, yet if a band of sea-robbers should confine their depredations to the commerce of a single nation, it would seem that, as to that nation, their crime might well be regarded as piracy, even if other nations whose commerce was not assailed did not so regard it.

It may be asked wherein consists the material difference between persons who act under a privateer's commission, and capture property on the high seas, and those who wage war upon the land, and commit homicide, and burn, destroy, or capture property there. Why should the former when taken be held and treated as pirates, and the others when captured held and exchanged as prisoners of war? It is a sufficient answer to this to say, that the war of the privateer is mainly upon the property of private persons, by private parties, for their private emolument. If the privateer attack a public vessel, it is the exception, and not the rule; she is not commissioned with that view. On the other hand, the war of the land forces is of a more public character, such as fighting battles offensive or defensive, assaults upon forts and batteries, and the like, and their interference with private property is usually incidental to those more direct and public operations. The object of the hostilities waged by privateers is mainly gain, by the plunder of commercial vessels; the injury done to the enemy being only incidental to that object. The object of the military operations upon land is ordinarily the public object of the war, whatever that may be, the injury done to private property being incidental to the measures taken for that purpose. If, then, the hostilities of the privateer are not regarded

as war under lawful authority, they have the character of private acts, to wit, murder and robbery.

Letters of marque and reprisal were originally granted to merchants who had lost goods by capture, in order that they might indemnify themselves by capture of the property of subjects of the offending nation. They were, and may still be, used before a war, as a means of procuring justice for a wrong or injury sustained by a nation, its citizens or subjects; but a resort to this measure presupposes the existence of such wrong or injury.

"When a nation cannot obtain justice, whether for a wrong or an injury, she has a right to do herself justice. But before she declare war (of which we shall treat in the following Book), there are various methods practised among nations, which remain to be treated of here. Among those methods of obtaining satisfaction has been reckoned what is called the law of retaliation, according to which we make another suffer precisely as much evil as he has done. . . . . .

"Let us say, then, that a nation may punish another which has done her an injury, as we have shown above (see Chap. IV. and VI. of this Book), if the latter refuses to give a just satisfaction; but she has not a right to extend the penalty beyond what her own safety requires. Retaliation, which is unjust between private persons, would be much more so between nations, because it would, in the latter case, be difficult to make the punishment fall on those who had done the injury. What right have you to cut off the nose and ears of the ambassador of a barbarian who had treated your ambassador in that manner? As to those reprisals in time of war which partake of the nature of retaliation, they are justified on other principles; and we shall speak of them in their proper place." — *Vattel*, Book II. Chap. XVIII. Sect. 339.

"Reprisals are used between nation and nation, in order to do themselves justice when they cannot otherwise obtain it. If a nation has taken possession of what belongs to another, — if she refuses to pay a debt, to repair an injury, or to give adequate satisfaction for it, — the latter may seize something belonging to the former, and apply it to her own advantage till she obtains payment of what is due to her, together with interest and damages, — or keep it as a pledge till she has received ample satisfaction." — *Ibid.*, Sect. 342.

"There are cases, however, in which reprisals would be justly condemnable, even when a declaration of war would not be so; and these are precisely those cases in which nations may with justice take up arms. When the question which constitutes the ground of a dispute

relates, not to an act of violence, or an injury received, but to a contested right, — after an ineffectual endeavor to obtain justice by conciliatory and pacific measures, it is a declaration of war that ought to follow, and not pretended reprisals, which, in such a case, would only be real acts of hostility, without a declaration of war, and would be contrary to public faith, as well as to the mutual duties of nations." — *Ibid.*, Sect. 354.

"Reprisals by commission, or letters of marque and reprisal, granted to one or more injured subjects, in the name and by the authority of a sovereign, is another mode of redress for some specific injury, which is considered to be compatible with a state of peace, and permitted by the law of nations. The case arises when one nation has committed some direct and palpable injury to another, as by withholding a just debt, or by violence to person or property, and has refused to give any satisfaction." — 1 *Kent's Comm.* 61.

The principle stated in these authorities relates to reprisals as a measure of redress before the existence of a war. But when reprisals are resorted to in time of war, for the purpose of weakening the enemy by depriving his subjects or citizens of their property, the principle that there can be no lawful reprisals until an injury is sustained is equally applicable.

Wheaton enumerates, "among the various modes of terminating the differences between nations by forcible means short of actual war," —

4. "By making reprisals upon the persons and things belonging to the offending nation, until a satisfactory reparation is made for the alleged injury."

He says: —

"Reprisals are also *general* or *special*. They are *general* when a state which has received, or supposes it has received, an injury from another nation, delivers commissions to its officers and subjects to take the persons and property belonging to the other nation, wherever the same may be found. It is, according to present usage, the first step which is usually taken at the commencement of a public war, and may be considered as amounting to a declaration of hostilities, unless satisfaction is made by the offending state. *Special* reprisals are where letters of marque are granted, in time of peace, to particular individuals who have suffered an injury from the government or subjects of another nation."

"Reprisals are to be granted only in case of a clear and open denial of justice." — *Elements of Int. Law*, Part IV. Chap. I. Sect. 1, 2.

It is one of the singular features, however, of this controversy and warfare, and one of the strange perversions of all ordinary action, that the proposals by Mr. Jefferson Davis to issue "letters of marque and *reprisal*" were made before any article of property belonging to the Confederate States, or any one of them, or to any person claiming to be a citizen of any one of those States, had been interfered with; or any person belonging to the Confederate States had been molested by the government of the United States, except in self-defence.* It is true that the United States in the war of 1812, by the same act in which they declared the existence of the war, authorized the President to issue letters of marque and reprisal; but it must be recollected that they complained of long-continued grievances by reason of the seizure of men and property, the confiscation of property, and the denial of reparation. The cases are not only unlike; they are entirely dissimilar. The Confederate States can hardly claim to make reprisals because of the passage of a tariff long since repealed, even supposing it to have been onerous; or the passage of personal-liberty laws by some of the States; or the refusal of Congress to assent that slavery should be admitted into the Territories; or the election of Mr. Lincoln. None of these things were done to, or suffered by, the Confederate States, which were not then in existence as a belligerent power, or in separation from the United States. In the war of the Revolution, the United Colonies did not attempt to authorize the capture of private property until nearly a year after the commencement of hostilities. Not so the Secessionists. There is no doubt that, from the first, even before any vote of secession, this warfare upon private property was relied upon as one of the means of insuring the success of the insurrection. "If you do not let us secede without any attempt at coercion, we will refuse to pay our debts, and, by means of privateers, ruin your commerce."

From what has been thus stated, we draw a further conclusion that the recent order of Mr. Judah P. Benjamin, acting Secretary of War for the Confederate States, subjecting Colonels Corcoran, Wood, and Lee, Major Revere, and others, who were

* April 17, 1861.

taken prisoners by the Confederate forces at the battle of Ball's Bluff, to imprisonment in the dungeons of felons, in retaliation or reprisal for the imprisonment of persons taken prisoners on board of the Confederate privateers, some of whom have been tried for piracy under the statute of the United States before cited, is a gross violation of the rules of honorable warfare. The Confederates attempt to escape from the odium of treason by alleging the existence of war. They are bound, then, to conduct the warfare on their part according to the usages of civilized nations. But there is no usage of nations by which one belligerent, having prisoners who have never been amenable to its laws, and have committed no crime against them, but who have been taken in battle fighting under their own banners, can immure those persons in damp dungeons, and subject them to the treatment of convicts, merely because its belligerent adversary, finding among his prisoners those who according to his laws owe allegiance, and have committed treason, or who in violation of long-existing statutes have incurred the guilt of piracy, proceeds with such persons in the ordinary course of justice according to those laws. If one belligerent merely proceeds according to law, that furnishes no reason why the other should resort to measures sanctioned by no law. The law of reprisals, as it affects persons, — usually termed retaliation, or *lex talionis*, — may rightfully be resorted to in time of war by one nation, when a gross outrage in violation of the laws of war has been committed upon its citizens or subjects by the other, in order to restrain and prevent further outrage. Some of the accredited writers upon public and natural law will, however, hardly sustain even this proposition.

Rutherforth expressly denies the right of retaliation by killing prisoners, when the enemy has done the same thing : —

" The exceptions to this rule of not killing these persons, who never were in arms at all, or who, though they have been in arms, have surrendered themselves, are very few. If they are considered as members of the nation with which we are at war, nothing more is necessary, in the first instance, than to get them into our power. The law of nature, therefore, will not allow us to go further. But if they whom we thus get into our power have been guilty of any previous crime for

which they deserve death, this law does not forbid us to inflict this punishment, any more than if they and we were members of no society at all, but were still in the original state of nature.

"The obstinacy of holding out long in a siege, is not one of these crimes; for a discharge of their duty towards their own nation is not in its own nature a crime against the other. There might, perhaps, be some advantage in putting a garrison to the sword for holding out long, as such an example might be a means to deter others from giving the besiegers the same trouble; but neither this nor any other motive of mere utility will render it just to take away the lives of those who are in our power, and have not deserved to lose them. Neither is retaliation a justifiable cause for killing prisoners of war. Though our adversaries should have killed the prisoners whom they have taken from us, this will not justify us in killing the prisoners whom we have taken from them. The law of nature allows of retaliation only where they who have done harm are made to suffer as much harm as they have done. But to kill such prisoners of war as are in our power, because the nation to which they belong has treated our countrymen in this manner, would be to do harm to one person because harm had been done by another. An injury which is done by a nation does, indeed, communicate itself to all the members of that nation; and such a communication of guilt is all that can be pleaded for the retaliation of which we have been speaking. But Grotius very truly replies here, that to punish captives or prisoners of war in this manner would be to punish them in what is their own as individuals, whereas the national guilt can only be communicated to them as they are members of the offending nation; and consequently the proper punishment of it should only be inflicted on them as they are members of the offending nation, and not as they are individuals." — *Institutes of Natural Law*, Book II. Chap. 9, Sect. 15.

"Prisoners of war are, indeed, sometimes killed; but this is no otherwise justifiable than as it is made necessary, either by themselves, if they make use of force against those who have taken them, or by others, who make use of force in their behalf, and render it impossible to keep them. And as we may collect from the reason of the thing, so it likewise appears, from common opinion, that nothing but the strongest necessity will justify such an act; for the civilized and thinking part of mankind will hardly be persuaded not to condemn it till they see the absolute necessity of it." — *Ibid.*

Martens admits a more extended rule. Under the head of Reprisals, he says: —

"A sovereign violates his perfect obligations in violating the natural or perfect rights of another. It matters not whether these rights are innate, or whether they have been acquired by express or tacit covenant, or otherwise.

"In case of such violation, the injured sovereign may refuse to fulfil his perfect obligations towards the sovereign by whom he is injured, or towards the subjects of such sovereign. He may also have recourse to more violent means, till he has obliged the offending party to yield him satisfaction, or till he has taken such satisfaction himself, and guarded himself against the like injuries in future.

"There are many acts by which a sovereign refuses to do or to suffer what he is perfectly obliged to do or to suffer, or by which he does what he is ordinarily obliged to omit, in order to obtain satisfaction for a real injury sustained. All these acts are called reprisals. Consequently, reprisals are of many sorts. The *talio*, by which an injury received is returned by an injury exactly equal to it, is one sort of reprisals; but the use of it is not indiscriminately permitted on all occasions." — *Law of Nations*, Book VIII. Chap. 1, Sect. 3.

In a note he adds: —

"If the ambassador or messenger of a state has been put to death by another state, the former state could not, on that account, have a right to put the ambassador or messenger of the latter to death; but in time of war, a prisoner of war may sometimes be put to death in order to punish a nation that has violated the laws of war. In the first case, the injured nation has other means of obtaining satisfaction, and of guarding against such violations for the future; but war being of itself the last state of violence, there often remains no other means of guarding against future violations on the part of the enemy."

So Vattel admits the right to execute prisoners in retaliation for an execution by the hostile general without any just reason, and against an inhuman enemy who frequently commits enormities.

"This leads us to speak of a kind of retaliation sometimes practised in war, under the name of reprisals. If the hostile general has, without any just reason, caused some prisoners to be hanged, we hang an equal number of his people, and of the same rank, — notifying to him that we will continue thus to retaliate, for the purpose of obliging him to observe the laws of war. It is a dreadful extremity thus to condemn a prisoner to atone, by a miserable death, for his general's crime; and if we had previously promised to spare the life of that prisoner,

we cannot, without injustice, make him the subject of our reprisals. Nevertheless, as a prince or his general has a right to sacrifice his enemies' lives to his own safety and that of his men, it appears, that, if he has to do with an inhuman enemy, who frequently commits such enormities, he is authorized to refuse quarter to some of the prisoners he takes, and to treat them as his people have been treated." — Book III. Chap. 8, Sect. 142.

Chancellor Kent sums up the authorities in these words: —

"Cruelty to prisoners, and barbarous destruction of private property, will provoke the enemy to severe retaliation upon the innocent. Retaliation is said by Rutherforth not to be a justifiable cause for putting innocent prisoners or hostages to death; for no individual is chargeable, by the laws of nations, with the guilt of a personal crime, merely because the community of which he is a member is guilty. He is only responsible as a member of the state, in his property, for reparation in damages for the acts of others; and it is on this principle that, by the law of nations, private property may be taken and appropriated in war. Retaliation, to be just, ought to be confined to the guilty individuals, who may have committed some enormous violation of public law. On this subject of retaliation, Professor Martens is not so strict. While he admits that the life of an innocent man cannot be taken, unless in extraordinary cases, he declares that cases will sometimes occur, when the established usages of war are violated, and there are no other means, except the influence of retaliation, of restraining the enemy from further excesses. Vattel speaks of retaliation as a sad extremity, and it is frequently threatened without being put in execution, and probably without the intention to do it, and in hopes that fear will operate to restrain the enemy. Instances of resolutions to retaliate on innocent prisoners of war occurred in this country during the Revolutionary war, as well as during the war of 1812; but there was no instance in which retaliation beyond the measure of severe confinement took place in respect to prisoners of war." — *Commentaries*, I. 93, 94.

From the more recent work of Wheaton, we quote to the same effect.

"A belligerent has, therefore, no right to take away the lives of those subjects of the enemy whom he can subdue by any other means. Those who are actually in arms, and continue to resist, may be lawfully killed; but the inhabitants of the enemy's country, who are not in arms, or who, being in arms, submit and surrender themselves, may not be slain, because their destruction is not necessary for obtaining the just

ends of war. Those ends may be accomplished by making prisoners of those who are taken in arms, or compelling them to give security that they will not bear arms against the victor for a limited period, or during the continuance of the war. The killing of prisoners can only be justifiable in those extreme cases where resistance on their part, or on the part of others who come to their rescue, renders it impossible to keep them. Both reason and general opinion concur in showing, that nothing but the strongest necessity will justify such an act." — *International Law*, Part IV. Chap. 2, Sect. 2.

"The exceptions to these general mitigations of the extreme rights of war, considered as a contest of force, all grow out of the same original principle of natural law, which authorizes us to use against an enemy such a degree of violence, and such only, as may be necessary to secure the objects of hostilities. The same general rule, which determines how far it is lawful to destroy the persons of enemies, will serve as a guide in judging how far it is lawful to ravage or lay waste their country. If this be necessary, in order to accomplish the just ends of war, it may be lawfully done, but not otherwise. Thus, if the progress of an enemy cannot be stopped, nor our own frontier secured, or if the approaches to a town, intended to be attacked, cannot be made without laying waste the intermediate territory, the extreme case may justify a resort to measures not warranted by the ordinary purposes of war. If modern usage has sanctioned any other exceptions, they will be found in the right of reprisals or vindictive retaliation. The whole international code is founded upon reciprocity. The rules it prescribes are observed by one nation, in confidence that they will be so by others. Where, then, the established usages of war are violated by an enemy, and there are no other means of restraining his excesses, retaliation may justly be resorted to by the suffering nation, in order to compel the enemy to return to the observance of the law which he has violated." — *Ibid.*, Sect. 6.

It is not astonishing, however, that those who violate all principle by the issue of letters of marque and reprisal when no injury has been done to them, and offer a premium of twenty dollars cash for the destruction of persons on board any armed vessel of the United States sunk, burnt, or destroyed by a privateer of equal or inferior force, should imprison and threaten to hang other innocent persons, without any trial, merely because their adversary subjects those who accept and act under such commissions to plunder private property, and kill persons on the high seas, to an ordi-

nary trial by jury for alleged offences committed against the laws of the government whose citizens are thus assailed.

But although the insurgents stand legally, as to the United States, in the position of rebels and traitors, and their privateersmen as pirates, and may be so held and treated, it is not a necessary result that the penalty should be exacted, nor that the warfare which exists should be carried on, in all respects, upon the assumption that the only *status* which can be assigned to them is that of rebels. An insurrection may, as we have seen, result in what is properly denominated a war, without losing its character as an insurrection, and without any exemption of those who participate in it from the penalties legally attached to rebellion. Such is the case with all civil wars which originate in an attempt to overthrow the existing government, or seek a separation from it. But in proportion to the magnitude and gravity of the warfare, it gradually loses, in the public mind, its distinctive character as an insurrection, being known as a civil war; and then it is hardly expedient to insist upon the enforcement of the extreme penalties of treason and piracy, against those who are merely subordinate and hireling agencies in wickedness. If such penalties are enforced at all, it should be against the active instigators of, and principals in, the rebellion; but these are the very offenders most likely to escape.

Great Britain, although she imprisoned several of the Colonists in the course of the war for Independence, and treated them thus far as rebels, did not in any case proceed to the extreme measure of execution.

When a rebellion is not immediately suppressed, but assumes the proportions and character of a war on the side of the insurgents, the parties to that war have necessarily, to a certain extent, the political character of belligerents. The government assailed must employ military forces, and place them in conflict with the military force arrayed against it; and the ordinary result of such conflict is the capture of prisoners on both sides. In the first stage of such a conflict, it may be just that the government assailed should treat its prisoners according to their legal *status* as traitors, or pirates, as one of the means of suppressing the insurrection. But when it is

apparent that this means fails of its purpose, and becomes an unnecessary severity, the question immediately arises whether the government is not unjust to the persons whom it holds as captives, and who were mere subordinates in the hostilities which have been waged, if it refuse to extend to them the usual treatment of prisoners of war. And the more significant question follows, to wit, whether it is not guilty of still more gross injustice if it leave its own soldiers, who by misfortune have fallen into the hands of the other party, to the hardships of a captivity which it could terminate at any time by an exchange. That government which sends its soldiers into the field with the understanding that, if taken prisoners, they will be left to their fate, without an attempt to redeem them from the hardships and sufferings incident to such captivity, except by the ultimate success of the war, may thereby give them an additional incentive to fight unto death in any hopeless encounter in which they shall happen to be involved; but when it places itself on such a platform, it shows that it has little care for the comfort or safety of those who fight its battles. Certainly, an administration which should long conduct a war on that principle would not deserve to have battles fought for it.

An exchange of prisoners, while it is thus far a recognition, by implication, of a political *status* of the insurgents as an organized force, implies nothing respecting the legal character of that force. An exchange of prisoners may be made with an independent belligerent nation long established; it may be made with a belligerent barbarian; and so it may be made with insurgents, or even with those who are strictly pirates.

It seems clear that, while, on the one hand, the insurgents, by any amount of force which they can muster in the field, in giving to the contest the character of a war, cannot deprive the government assailed of the right to treat them as traitors; so, on the other hand, government may voluntarily recognize the force arrayed against it as that of a belligerent party, against which it may adopt the modes of warfare usual among nations, as, for instance, a blockade, — or with which it may negotiate for the mitigation of the horrors and sufferings of

the warfare, as by an exchange of prisoners, — without thereby depriving itself of the right still to hold the persons engaged in the insurrection as traitors or pirates, according to the nature and character of their hostile acts.

In fact, foreign nations may compel the government assailed to treat its assailants as a belligerent power, so far as they are concerned, by an acknowledgment of the independence of the insurgents, or a recognition of them as a belligerent party with which they claim a right to hold intercourse; after which such intercourse can be prohibited only by a blockade, like that required in a war with a foreign nation which has long maintained its independence. But it is quite clear that no foreign nation can, by any such acknowledgment or recognition, deprive the government assailed by an insurrection of the right of treating the insurgents as traitors, and, according to its ability and pleasure, meting out to them punishment for their treason.

Regarding the Secessionists as mere insurgents and traitors, who by means of the insurrection have for the time subverted the legitimate authority of the United States, and deprived that government of the revenue from customs within the limits of the insurrection, — attempting at the same time to appropriate such revenue to their own use, — the government might, by a mere act or order, have closed the ports, as one of the means of suppressing the insurrection, instead of battering down the towns, which would, perhaps, be somewhat more effectual. There seems to be no reasonable doubt that the President — who, under his power and duty to suppress the insurrection, might order the latter to be done, if in his judgment the exigency required it — might resort to the milder measure of interdicting all commerce there, when it became apparent that such commerce was not, and could not be, carried on with the United States, and, instead of being beneficial, was hostile to them. No blockading force is necessary to the validity of such an act or order. Each nation has a right, for its own reasons, to constitute and to abolish ports of entry; and one of the reasons for abolishing a port might be the existence of an insurrection there. And so long as other nations recognize the jurisdiction and authority of the government

which abolishes, over the *locus in quo*, they must respect the act or order which denies entrance there, although it may be a mere paper regulation, without any military or naval force to support it. If, however, the abolishment of the port was in fact an act of hostility for the purpose of inflicting an injury upon another nation, instead of being designed as a municipal or domestic regulation, it might give just cause of offence.

But an act discontinuing a port of entry, or an order closing such a port and interdicting commerce there, is a very different matter from a blockade of the port. The term "blockade" has its appropriate signification. It means to block up, or shut up, — not to subvert or abolish; nor does it signify the closing of the port, except by the presence of a force for that purpose. A blockade, properly so called, while it may be used to suppress an insurrection, is not a mere measure for that purpose, without other incidents or consequences attached to it. A blockade proper imports the closing of the port of an enemy by a hostile power, thereby forbidding entrance and exit, under certain rules and limitations, and with certain exceptions; and it implies at the same time a right in other nations to enter and clear from the port, under the party in actual possession of it, if the blockade is not made effectual by a competent force. It is not the exercise of a mere municipal or domestic right, like that of closing a port by a repealing act, or an affirmative order for the purpose; but it is a right of war, acknowledged by the law of nations as existing in favor of one belligerent against the other, and regulated by the rules of international law.

A few extracts from an approved elementary work will be sufficient to show the nature of a blockade.

"Among the rights of belligerents, there is none more clear and incontrovertible, or more just and necessary in the application, than that which gives rise to the law of blockade. Bynkershoek says, it is founded on the principles of natural reason, as well as on the usage of nations; and Grotius considers the carrying of supplies to a besieged town, or a blockaded port, as an offence exceedingly aggravated and injurious. They both agree that a neutral may be dealt with severely; and Vattel says, he may be treated as an enemy. The law of blockade is, however, so harsh and severe in its operation, that, in order to apply

it, the fact of the actual blockade must be established by clear and unequivocal evidence; and the neutral must have had due previous notice of its existence; and the squadron allotted for the purposes of its execution must be competent to cut off all communication with the interdicted place or port; and the neutral must have been guilty of some act of violation, either by going in, or attempting to enter, or by coming out with a cargo laden after the commencement of the blockade. The failure of either of the points requisite to establish the existence of a legal blockade, amounts to an entire defeasance of the measure, even though the notification of the blockade had issued from the authority of the government itself.

"A blockade must be existing in point of fact; and in order to constitute that existence, there must be a power present to enforce it."

"The definition of a blockade given by the convention of the Baltic powers, in 1780, and again in 1801, and by the ordinance of Congress, in 1781, required that there should be actually a number of vessels stationed near enough to the port to make the entry apparently dangerous."

"The occasional absence of the blockading squadron, produced by accident, as in the case of a storm, and when the station is resumed with due diligence, does not suspend the blockade, provided the suspension, and the reason of it, be known; and the law considers an attempt to take an advantage of such an accidental removal as an attempt to break the blockade, and as a mere fraud. . . . . But if the blockade be raised by the enemy, or by applying the naval force, or a part of it, though only for a time, to other objects, or by the mere remissness of the cruisers, the commerce of neutrals to the place ought to be free. The presence of a sufficient force is the natural criterion by which the neutral is enabled to ascertain the existence of the blockade."

"The object of a blockade is not merely to prevent the importation of supplies, but to prevent export as well as import, and to cut off all communication of commerce with the blockaded port. The act of egress is as culpable as the act of ingress, if it be done fraudulently. . . . . The modern practice does not require that the place should be invested by land as well as by sea, in order to constitute a legal blockade; and if a place be blockaded by sea only, it is no violation of belligerent rights for the neutral to carry on commerce with it by inland communications.

"It is absolutely necessary that the neutral should have had due notice of the blockade, in order to affect him with the penal consequences of a violation of it. . . . . After the blockade is once estab-

lished, and due notice received, either actually or constructively, the neutral is not permitted to go to the very station of the blockading force, under pretence of inquiring whether the blockade had terminated, because this would lead to fraudulent attempts to evade it, and would amount in practice to a universal license to attempt to enter, and, on being prevented, to claim the liberty of going elsewhere."

"A neutral cannot be permitted to place himself in the vicinity of a blockaded port, if his situation be so near that he may, with impunity, break the blockade whenever he pleases, and slip in without obstruction. If that were to be permitted, it would be impossible that any blockade could be maintained."

"The fact of clearing out or sailing for a blockaded port is, in itself, innocent, unless it be accompanied with knowledge of the blockade."

"In *Yeaton* vs. *Fry*, the Supreme Court of the United States coincided essentially with the doctrine of the English prize courts; for they held that sailing from Tobago for Curaçoa, knowing the latter to be blockaded, was a breach of the blockade, and, according to the opinion of Mr. Justice Story, in the case of the *Nereide*, 'the act of sailing with intent to break a blockade is a sufficient breach to authorize confiscation.' . . . . . If the ports be not very wide apart, the act of sailing for the blockaded port may reasonably be deemed evidence of a breach of it, and an overt act of fraud upon the belligerent rights."

"The consequence of a breach of blockade is the confiscation of the ship; and the cargo is always, *prima facie*, implicated in the guilt of the owner or master of the ship. . . . . If a ship has contracted guilt by a breach of blockade, the offence is not discharged until the end of the voyage. The penalty never travels on with the vessel farther than to the end of the return voyage; and if she is taken in any part of that voyage, she is taken *in delicto*." — 1 *Kent's Com.*, 143 – 151.

It appears from all this, that a blockade admits, by implication, that the port is in the possession of a party or power with which the blockading party is at war, and with which neutral nations, if they please, may hold commercial intercourse, subject to the laws of war, without payment of duties to the party instituting the blockade, or interruption by that party except by the blockade, or other warlike operations. In other words, the port is governed for the time being, as between the blockading party and neutral nations, by the law of nations applicable to war between two powers, — instead of

being governed, as to them as well as its possessors, by the domestic law applicable to the insurrectionary resistance to the established government. That government cannot say to neutrals, "We debar you from entering this port because it is blockaded, and if you violate the blockade, you will be liable to capture and condemnation," — leaving them to inquire whether the blockade is maintained, and to govern themselves by the law applicable to it, — and at the same time say, "All intercourse with the place is forbidden, because it is our port, but, by reason of insurrectionary force, commerce there cannot be carried on with the United States, and the place, therefore, is no longer to be treated as a port during the continuance of the insurrection."

The right to treat the insurrectionary force as a belligerent power by the institution of a blockade, thus leaving neutral nations at liberty, if they please, to hold commercial intercourse with the insurgents as a belligerent power, so far as they may without a violation of the blockade, is entirely consistent with the position that the insurgents themselves are mere rebels and traitors. In fact, any foreign nation may oblige the government assailed to resort to a blockade in order to prevent commercial intercourse with the insurgents, so far as such nation is concerned, by an acknowledgment of their independence, or, according to modern usage, by a recognition of them as a belligerent power, with a proclamation of neutrality between the contending parties, — which certainly can in no way affect the right of the existing government to deal with the insurgents as traitors, under its own municipal law. And if the government pleases to institute a blockade in anticipation of such compulsion, no implication can arise from it changing the legal relations of the parties.

Another good reason exists why the government assailed may prefer to give to the insurgent force this character of a belligerent party, so far as its relations with foreign nations are concerned. The laws of blockade, and of capture for violation of it, and the proceedings for adjudication thereupon, are, in general, well settled and defined; while the rules which must regulate punishment for any violation of an order closing the port, and forbidding entrance into it, as a means of

suppressing the insurrection, without a blockade, are not so well settled; and attempts to deal with infractions of such order by vessels of foreign powers would lead to unnecessary collisions, certainly after a recognition of belligerency.

It has been contended that a nation cannot blockade its own ports; but this position is not tenable when the port is in possession of a hostile force. To deny the right of blockade in such case would be to deny its right to the port, or, practically, to make it a free port until the government which formerly held and still claimed it should destroy it; for no mere order or act for closing it could be of any avail against a foreign nation which pleased to recognize the insurgents as belligerents, without a blockade superadded.

This leads us to a more extended examination of the relations which foreign nations do or may, according to the rules of international law, sustain to those who, under the plea of Secession, are using the names and styles of several States, and who, with the assumption of State and Confederate authority, are waging insurrectionary warfare against the United States. It is apparent, from what has been said, that these relations might be either one of three different descriptions.

1. In the case of an insurrection, accompanied by an attempt to establish an independent government, a foreign nation may decline in any wise to interfere in the contest, treating the case precisely as if it were an insurrection which in no way affected its interests, except as the actual force of the insurgents interrupts the exercise of authority by the government assailed in places where that government had before exercised it, and still claims the right to continue its exercise. This is substantially the position of Russia, and, in fact, of all European and other foreign powers, as respects the United States, — Great Britain, France, and Spain excepted.

The foreign government which places itself in this relation may, and in some contingencies must, recognize the existence of the insurrection, and vary its action, or that of its citizens and subjects, accordingly. As, for instance, if the United States government should prohibit the entrance of any vessel into a particular port or ports, because the people of the place were in a state of insurrection, so that commerce with the United

States under existing treaties could not be carried on there, a government declining any recognition of the insurgents, or interference with reference to the contest, would instruct its subjects, consuls, and officers to regard the prohibition, and comply with the regulation of the existing government, as if that government still possessed full jurisdiction and control over its bays, harbors, and waters, as before the existence of the insurrection, — without requiring any actual blockade of the ports in order to enforce the prohibition. It may be quite consistent with such a position for the foreign government to claim that all vessels belonging to its subjects, which should enter the ports without notice of the prohibition, should be permitted to dispose of their cargoes and depart with such clearance as could be obtained there, in the same manner as if the prohibition had not existed; because, acting in good faith toward the government, as if the insurrection did not exist, and leaving that government to contend with it without any interference or recognition of the authority or political existence of the insurgents, the foreign nation might well claim that its subjects should not suffer loss, or be prejudiced, without warning.

A foreign nation occupying such a position comes under no obligation, and owes no duty, to the insurgent power. It may carry on its commerce with the government assailed without any liability, under the law of nations, to search and seizure for contraband goods. It may avail itself of any implied recognition of the insurgents by the government assailed, as by the institution of a blockade, and insist that its subjects have a right to hold commercial intercourse with the insurrectionary power as a belligerent, so far as they may consistently with the blockade. It will naturally refuse to permit its vessels to be overhauled and detained by vessels commissioned by the insurgents as privateers, and may well treat such interference as piratical; although it will be at its pleasure, and consistent with its position, to permit such visitation as may serve to ascertain the nationality of its vessels, without any search for enemies' property, or articles contraband of war.

Such a position would by no means require the foreign nation, which ignored the insurgent force as an existing power, to treat the privateers commissioned by the insurrectionary

government as pirates. It is true, that the British government, in the case of Greece, in 1825, alleged that "a power or a community which was at war with another, and which covered the sea with its cruisers, must either be acknowledged as a belligerent, or dealt with as a pirate." But the necessity is certainly not apparent, in respect to any nation whose vessels are not interfered with by such cruisers. With the exception of nations whose commerce is assailed, it is not necessarily an objection to a privateer that she holds a commission from an unrecognized power. Piracy, it is evident, may be of a general, or of a limited character. The slave-trade is piracy under the laws of Great Britain and of the United States. But this does not constitute it piracy as to other nations. And the same may be true of that description of piracy which consists in robbing merchant-vessels on the high seas. The fact, that those who act as privateers under commissions from the Confederate States are pirates by the express provision of the act of Congress before cited, as regards the United States, against whose vessels they direct their warfare, does not constitute them pirates as respects other nations. And the result would be the same, if, by the rules of public law, also, the United States might hold them to be pirates. France, before her recognition of the independence of the United American Colonies, did not treat their privateers as pirates; and the government of the United States has in several instances acted on the principle that privateers of insurgents not acknowledged were not pirates as to the United States, and were not subject to capture as such.* But if a vessel commissioned as a privateer by an unrecognized belligerent rob a vessel of a neutral nation, may not any nation treat the act as piracy? †

2. Any foreign nation, whenever the circumstances are such as to warrant it, may acknowledge, for itself, the independence of an insurgent organization, recognizing it as having a national existence, and treating it as a nation; in which case it may form an alliance with the insurgent government, offensive

* 3 Wheaton's Reports, 610, United States *vs.* Palmer; 7 Wheaton's Rep. 283, The Santissima Trinidad; Case of Captain P. P. Voorhies, before a naval court-martial, in 1844.

† 1 Phillimore's Int. Law, 398 – 406.

and defensive, and thus become a party to the war; or it may, with such acknowledgment, assume a position of neutrality, claiming the rights of a neutral, as between what would then, to the party recognizing the independence of the insurgents, be two equally independent belligerent nations. Such acknowledgment of the independence of an insurgent party, before its independence is recognized by the government which it assails, may or may not furnish just cause of war on the part of that government, according to the circumstances under which it is made. If the acknowledgment follows very soon upon the breaking out of the insurrection, and while the government is pursuing active and energetic measures to suppress it, the aid and encouragement thereby given to the rebels would furnish just cause of offence to the existing government. On the other hand, after the contest has been of long continuance, and the independence of the insurrectionary party has been practically maintained for such a period as to show its capacity to uphold it, then the interests of other nations may well justify them in an acknowledgment of what has been accomplished, — in a recognition of an existing fact, — without just cause of offence to the government which has been resisted, and which has failed to overcome that resistance. The commercial interests of nations having no interest in the contest may require that they should make the recognition, for the purpose of trade, or for other desirable ends; and the existing government cannot complain of the mere acknowledgment of an actual fact. But such recognition should follow only a practical independence. Such was the case with the acknowledgment of the independence of the South American republics by the United States in 1823, the latter assuming to act as a neutral nation.

The insurgent party, upon such acknowledgment, may claim the right to send an ambassador or minister to the nation making it, and may expect in due course of time to receive one, and to have their intercourse regulated by treaty. After such an acknowledgment, if the nation making it does not become a party to the war, — either by a treaty of alliance with the party thus recognized, or by a declaration of war by the government assailed, on account of the recognition, — the

nation making the acknowledgment is entitled to claim the rights of a neutral with respect to each of the belligerent parties, treating each as a nation, and forming treaties with the insurgent party, as if it were a nation, equally with its adversary; and it may send and receive ambassadors, and trade to and from any ports occupied and held by the party acknowledged, except so far as it is prevented by the exercise of rights accorded by international law to belligerents against neutrals.

The neutral nation has the right to require that its territory shall not be made the theatre of war, nor made use of for the purposes of war, and that hostile enterprises shall not originate in, or be carried on, from it. Its citizens and subjects may be the carriers of the goods of either belligerent, subject to the right of the other belligerent to capture such goods, and to search and detain the neutral vessel for that purpose, but not to confiscate the ship; and they may maintain free commercial intercourse with each belligerent, subject to the rules which forbid aid to the belligerent in the prosecution of the war, and to the right of the belligerent to prevent such intercourse by an efficient blockade.

The duty of the neutral is not to favor one belligerent to the detriment of the other, — not to transport munitions of war, or other goods contraband of war, to either belligerent, — not to carry officers, soldiers, or despatches of either, — to respect any blockade by one belligerent, of the ports of the other, if it is efficient, — and, generally, not to aid either belligerent, in the prosecution of the war, except as the ordinary commercial transactions in goods not contraband incidentally furnish such aid.

The rights of the belligerent as respects the neutral are, to visit and search his merchant-vessels, on the high seas, for the purpose of ascertaining whether enemies' property, or goods contraband of war, or persons whom the neutral may not carry, are on board; to capture the property of the enemy so found; and for violation of belligerent rights, by aid rendered to the enemy in transporting goods contraband of war, or persons in the service of the enemy in the prosecution of the war, as officers, soldiers, or other functionaries, or the despatches of the enemy, — and also for violation of blockade, — to capture and confiscate the ship and goods.

These are the principal rights and duties of the parties, as set forth, in substance, by accredited writers on international law, subject in some instances to limitations and modifications, to which we shall refer, so far as they appear to be material to the present discussion.

No nation has as yet acknowledged the independence of the Confederate States. Such acknowledgment is not usually made, unless by a nation which is disposed to ally itself with the insurgents in hostility to the government assailed, until the independence of the insurgents has been acknowledged by that government, or until it has been practically achieved.

3. It is competent for any foreign nation, from the time when an insurrectionary force assumes to institute a form of government, and to carry on a war, to recognize the insurgents as a belligerent party.

Considerations of policy, as well as of comity, may well postpone such a recognition until there has been ample time for the government assailed to assert its power for the suppression of the insurrection. But these are matters of which each nation must judge for itself. Great Britain was the first to make such recognition of the Confederate States. France and Spain have since followed the example.

In one sense, this is but the recognition of an existing fact. It seems, however, to carry with it something more than a mere acknowledgment of the fact that there is a state of civil war existing; for that fact may be recognized, spoken of, deplored, and sympathy expressed, as has been done by Russia, without any political consequences attached to such recognition.

The formal recognition of the insurgent party as a belligerent, by another nation, gives the insurgents a political *status* as to the party making the recognition, and involves consequences to the government which is attempting to suppress the insurrection, as has been already suggested. This recognition appears to be an action intermediate as regards the other two, and to be a convenient mode of dealing with a case of intestine war by a foreign nation which is desirous of being civil to the insurgent party, and of availing itself of all the intercourse which can be established with them, without committing itself to an acknowledgment of an independence which may never

be achieved, and without the establishment of diplomatic relations, which might be suddenly terminated, and in a manner not greatly to the credit of the neutral, making the acknowledgment of an independence which was proved to be an abortion by the suppression of the rebellion very soon afterward.

As Great Britain was the first to acknowledge the belligerency of the Confederates, and as this acknowledgment is the only one which has affected the relations of the United States in any considerable degree, we shall pursue the residue of our discussion with a more particular reference to the existing relations between Great Britain and the United States. Her acknowledgment did not give the insurgents a right to send an ambassador to the Court of St. James, nor to claim a treaty of amity and commercial relations. It did not place them, as respects her, in the position of a nation. But, being acquiesced in by the United States, it gave her rights as against them which she could not have had, as a neutral nation, but for the recognition; and it also operated to give rights to the insurgent government as against her, which she would not otherwise have permitted it to enjoy.

Great Britain declared that she was cognizant of the fact that a civil war existed in the United States. That is nothing. All the rest of the civilized world knew the same thing. But by adding the recognition, she accorded to them the warlike rights of a belligerent nation; and by her superadded declaration of strict neutrality, she allowed to them, for the general purposes of commercial intercourse and warlike operations, all the rights which she allows to the United States, aside from previous treaty stipulations. She bound herself to respect their "stars and bars" equally with the flag of the United States. If, in her existing treaty with the United States, there are any stipulations on her part, the performance of which would conflict with the recognition which she thus made, and the neutrality which she thus assumed, the question might arise, between her and the Confederates, how far she had a right, under the law of nations, to perform those stipulations without a breach of her neutrality. She knew that, at the date of her present treaty with the United States, all the ports in the seceding States, so called, were in the pos-

session of the general government, and that the duties there paid were part of the common funds of the whole United States. She knew that at the time of her recognition those ports were in the possession of the insurgents, who claimed to regulate the commercial intercourse there, and to appropriate the revenues derived therefrom to other uses than to those of the United States. And she knew also how the revenue of the United States would be injuriously affected, by the facilities for smuggling into the Northern States goods introduced through those ports, if a free commerce were carried on there. Yet, by her recognition of the Confederate States as an existing power, she acknowledges those ports to be the ports of the party in possession, and claims the right, as a neutral nation, to enter those ports, and any others which may be opened by the Confederate States, with her ships and goods, unless the United States government shall enforce its attempts to suppress the insurrection there by an efficient blockade, precisely as she would be authorized to do in the case of two long existing independent nations contending in war, and to which she held the relation of neutrality. The United States are attempting to keep up such a blockade.

It is true that the United States were not compelled to resort to the blockade by reason of her recognition. The intention to blockade was proclaimed on the 19th of April, which was before the recognition. But it is also true, we think, that that recognition, which was in May,* was in no manner influenced by the implied recognition arising from the block-

* There has been an attempt to controvert the position in the article on "Habeas Corpus and Martial Law" in our last number, that Mr. Chief Justice Taney ought, in Merryman's case, to have taken notice of the existence of the war. The position itself is of very little importance to the argument, — which was to show that the refusal of General Cadwalader to produce his prisoner was sustained by sound principles; for the Chief Justice very plainly intimated that, if General Cadwalader had himself undertaken to suspend the *habeas corpus*, (in other words, to deny his liability to bring in his prisoner,) he would not have taken the trouble to argue the question. But it appears that the Lord Chancellor and other legal authorities in England had found out that war existed here some time before Merryman's case came before the Chief Justice, which was on the 28th day of May. And as the information respecting the facts which served to show its existence was not confined exclusively to that country, perhaps, if Mr. Chief Justice Taney had inquired, he might have found it out also.

ade. Her recognition of the insurgents as a belligerent party has therefore, to this extent, by her voluntary act, given them the standing of a nation, although there is no acknowledgment of their independence. The blockade itself would not necessarily have done this; and but for the recognition, it might have been terminated at pleasure, so far as Great Britain was concerned, and any other measure of coercion have been substituted.

It has been said, without much consideration, that British ships would have had a right to resort to those ports without any such recognition, if there was not an actual blockade, because, the right of secession being denied by the United States, they are still ports of entry under the laws of the United States, the President having no power to repeal the laws constituting them ports of entry. It is readily conceded that the President has no power to repeal a law; but we have already suggested that he might, by reason of the insurrection, which prevented the collection of the duties, and for the purpose of suppressing that insurrection, close the ports by a proclamation, which all foreign nations that did not recognize the belligerent *status* of the Confederate States would be bound to respect. If there was in fact a doubt respecting his constitutional power, the intercourse of foreign nations with the United States is through the Executive, and they are not authorized to go behind his acts, and to allege that they are nugatory, because under the provisions of the Constitution a power which he attempts to exercise is vested only in Congress.* There is no need, however, of saying this in a curt or spicy manner.

Moreover, without regard to any question of right legally to close the ports, foreign nations could not claim to enter those ports, as ports of the United States, after they had been notified by the Executive that they could not make their entries there under the authority of the United States, — that duties

* Mr. Jefferson Davis understands this. In his first message to the Confederate Congress, he said that the proclamation of President Lincoln was a plain declaration of war, which he was not at liberty to disregard, because of his knowledge that, under the Constitution, the President was usurping a power granted exclusively to Congress. "He is the sole organ of communication between that country and foreign powers."

paid there would be paid to insurgents, — and that clearances there must be taken from parties at war with the United States; for which reason, and for the suppression of the insurrection, entries were forbidden.

But the burden of the recognition seems not to be altogether upon the United States. Great Britain appears thereby to have subjected her merchant-vessels not only to a right of visit to ascertain their nationality, but to a right of search and capture, in the same manner, and to the same extent, as she would have done had she acknowledged their independence. If the United States must accord to her the rights of a neutral nation, by an efficient blockade, in order to exclude her vessels from the Southern ports, they must certainly have the rights of a belligerent against a neutral, and may capture, in her merchant-ships, goods the property of the enemy, all articles known as contraband of war, and all persons whose carriage by the neutral is not in strict accordance with the neutrality.

The privateers commissioned by Mr. Jefferson Davis may, in like manner, search British merchant-vessels with similar rights, and for any abuse of the power her reclamation for damages is upon "King Cotton," if he is not in the mean time consumed by his own or some other fires.

Whether the Confederate privateers will also be authorized to capture such loyal citizens of the States which have seceded as may be found on board of British vessels, — but having no military or hostile character except as they are citizens of the United States, — and turn them over to the Confederate government as prisoners at twenty-five dollars per head, according to the tenor of the law under which they are commissioned, is perhaps not so clear. Upon the principle, or want of principle, of what the London Times now calls the "antiquated law," by which Great Britain claimed a right to search, and take her subjects from, the vessels of the United States, she would be bound to admit the right of the United States to take their citizens from her vessels; and giving equal rights to the Confederate States, the question would arise whether all citizens of the seceded States are included within the rule. This assumption of burdens, however, is her affair, not ours. We

merely advert to it as one of the incidents which attends the recognition.

It seems very apparent, from what we have stated, that the recognition of the Confederate States as a belligerent power has substantially the effect of an acknowledgment of their independence, except that it does not authorize a demand of diplomatic intercourse and the formation of treaties. How far was such an early recognition justified by history?

The long civil war of her South American Colonies against Spain, and their establishment of independent governments *de facto*, required a recognition of them by the United States. Lord John Russell referred to the recognition of Greece, in her war against Turkey, as furnishing a precedent. We are not advised that he referred to any other. But the precedent fails entirely, except as to the fact of that kind of recognition. Greece had no share nor voice in the government of herself, still less in governing Turkey at the same time. She had not furnished three quarters of the Sultans who within less than a century had occupied the throne at Constantinople, and she had not, by one enginery or another, shaped the legislation of the great divan of the Turkish empire so as to suit her purposes, in three quarters of the political measures adopted there during the same time. No state had been annexed to the empire for her aggrandizement, and to give her political strength; and no war had been waged for the acquisition of Mexican or other territory in order that she might diffuse through it her peculiar institutions. On the contrary, she had been subjugated, though not entirely conquered; subdued, with the exception of the almost wild inhabitants of her mountain fastnesses; and ground into the dust by the iron heel of a military oppression which spared neither age nor sex, — which wrested from labor the reward of its toil, and snatched from hunger the morsel necessary to save it from becoming starvation.

This people rose up in their might against their oppressors, in 1821, reasserting their national existence; and after a warfare of more than four years, — a warfare of immeasurable atrocity on the part of the Turks, and almost corresponding ferocity on the part of the Greeks, — a warfare which placed Missolonghi

and Navarino on the page of history by the side of Marathon, and immortalized, among many others, the names of Mavrocordato, Colettis, Kanaris, Botzaris, and Miaulis, — the British government issued "a decided declaration of neutrality" between the belligerents.

The conclusion seems to follow, that the acknowledgment of a belligerent *status* of the Confederation, before the administration of President Lincoln had had time to determine upon its measures and organize its forces for the suppression of the insurrection, — with the attempt to carry on a neutral commerce with the ports within its limits, which ports are *de jure* still within the United States and under the jurisdiction of that government, and were only *de facto* without their jurisdiction, by the force of an insurrection of from four to six months' duration, — is entirely without a precedent, and might well be deemed a grave ground of offence to the United States, had not the blockade been previously instituted. It has undoubtedly been the cause of deep feeling among the people. We are aware that Dr. Phillimore says: "There is no proposition of law upon which there exists a more universal agreement of all jurists than upon this; viz. that this virtual and *de facto* recognition of a new state gives no just cause of offence to the old state, inasmuch as it decides nothing concerning the asserted rights of the latter. For if they be eventually sustained and made triumphant, they cannot be questioned by the third power, which, pending the conflict, has virtually recognized the revolted state." * But he is speaking of such recognitions as were made by Great Britain of the South American Colonies, after a struggle between them and Spain of about twelve years; and he refers to President Monroe's message of December, 1823, and to the speeches of Mr. Canning and Sir James Mackintosh upon that subject, as his authorities for the proposition.

A recognition following soon after the breaking out of an insurrection, and where from the peculiar circumstances there are special difficulties in organizing the forces of the government for the suppression of it, has the effect of giving an en-

* 2 Phill. on International Law, 18.

couragement to it, which a nation in amity with the existing government, and desirous of continuing that relation, is not authorized to give.

The British government were as little prepared for the breaking out of the insurrection in India as the United States were for that of the South; but the arm of the government was not paralyzed, for the time, by a complicity of Cabinet officers with the insurrection, and by such a state of inaction, if not complicity, on the part of the head of the administration, that nothing effective could be accomplished to arrest it until the traitors of the Cabinet had been forced to send in their unwilling resignations. And besides, the available military force of the British near the scene of warlike operations was much more readily concentrated, and comparatively of much greater efficiency, than that of the United States; and it had few or no traitors in it. Still, with all these advantages, the British power in India was for a considerable period shaken to its foundation, and it was said in high quarters that "India was to be reconquered." Now suppose that, at about the time when Havelock began to move effectively for the suppression of the rebellion, some member of Congress had arisen in his place, and proposed a formal acknowledgment of the independence of British India. That would have been but the act of an individual legislator, who, not being the authorized exponent of the views of the administration, could in no wise compromise the government itself. But suppose the authorized Cabinet officials had thereupon, if not in hot haste, yet under no circumstances of necessity, proceeded to declare that the United States had concluded to recognize the king of Delhi and his adherents as belligerents. The English government would undoubtedly have regarded this as an evidence of hostility, not entirely rebutted by any proclamation of strict neutrality which might have accompanied it. Yet such a proceeding would not have given courage and confidence to his Majesty of Delhi and his confederates to persevere in their rebellion.

Such are some of the relations of the United States, domestic and foreign, arising from the insurrection in the Southern States, as they exist at the present time. What are the reasonable speculations for the future on this subject?

The Confederate War Secretary, upon the occasion of the bombardment of Fort Sumter, prophesied that the Confederate flag would float over the dome of the old Capitol before the first of May; and he added: "Let them try Southern chivalry, and test the extent of Southern resources, and it might float eventually over Faneuil Hall itself." Well, Southern chivalry has been tried. It began by stealing all the public property it could lay its hands on, and then issuing letters of marque and reprisal before a particle of property had been taken by the United States, or any injury had been done to the Confederacy which could by any possible construction warrant *reprisals*. It has proceeded by the confiscation of the property of those who, having faith in the securities of Southern States and Southern people, had invested in such State securities, or given credit to traders for merchandise; and this without regard to any act done by such holders of stocks or creditors, but merely because certain people of the Southern States chose to rebel against the government of the United States, that government resisted the attempt, and the stockholders and creditors were, ever had been, and still remained citizens of the United States. Chivalry finds its only justification for this seizure of private property in the fact, that the government under which all the parties have heretofore lived, and to which all acknowledged a common allegiance, resists the efforts of the debtors to accomplish a revolution. Chivalry has been tested in arms, as well as in legislation, and it manifests itself in masked batteries and ambuscades, the hoisting of false flags and signals, and all manner of false pretences for the purpose of securing an unequal advantage. Chivalry thus far is cooped up within the limits of the States seceding, except that, in violation of all its State-rights theory, it is insisting that Missouri and Kentucky, against the expressed will of the people of those States, shall join in the rebellion; and it has thereupon attempted to overrun the former, and has made a lodgement in the southern portion of the latter. As an offset to this, it has lost Western Virginia, considerable portions of the eastern part of that State, and several positions on the seaboard in other States. It stands now, and, so far as at present can be judged, it is likely to stand, very much

on the defensive, unless Southern "resources" come to the rescue.

Thus far Southern resources have not shown to much better advantage than Southern chivalry. Proposals for a loan of fifteen millions of dollars are said to have realized ten millions. A project for a loan of cotton to the amount of one hundred millions is admitted to be a failure, because the "king" is shut up on a barren throne within his dominions, and cannot there be made negotiable. A tax of fifteen millions remains to be collected in such manner as it may be. In the mean time an issue of one hundred millions of Confederate bonds has no convertibility into coin, and no basis of redemption, and can therefore have no credit outside the limits of the Confederacy, and none within it except such as is enforced by the necessities of the war. Banks have suspended specie payments, and coin of all descriptions is at an extravagant premium. External trade is nearly all cut off by means of the blockade, a few arrivals and clearances, through a surreptitious evasion of it, furnishing only an exceedingly limited supply of munitions of war and foreign goods. Of manufacturing and domestic trade there can, under these circumstances, be but a very small amount, except in connection with supplies for their army; and many descriptions of what are ordinarily regarded as the necessaries of life are, in particular districts, at almost famine prices. On the other hand, the agricultural crops for the present year are supposed to have been abundant, so that there is no prospect of the termination of the war by absolute starvation.

In discussing the question of the probable duration of the war, it has been suggested that the people of the South are fighting, or, what is the same thing, believe they are fighting, for their liberties; and that, in all controversies of such a character, there is a pertinacity of purpose, which continues the contest without resources, and under all deprivations and reverses, until a final victory is achieved. One of the resources of the leaders of the rebellion has been the representation to the great mass of their misguided followers, that this is a war of subjugation, and that, if they fail to fight to the last extremity, their liberties will be lost. But the sober

second-thought, if that thought ever comes, will show them that the termination of the war will leave the several States which have attempted to secede in the possession of all their rights of sovereignty, and in all the control of their municipal affairs which they have ever had since the adoption of the Constitution, — except so far as the rebellion has introduced revolution into any particular State, through which some of them may possibly find themselves dismembered by the action of their own people, — and except as the situation and legal condition of their slaves may, to a very material extent, be changed, if the war is protracted.

That the war must continue on the part of the North until the navigation of the Mississippi, from its sources to its mouth, is secured to the people of the Northwest, so that no hostile power upon its banks can impede such navigation, or until the Northern States are rendered powerless to prosecute the contest to a successful issue, may be assumed to be certain. The promptitude with which batteries were erected on the banks of that river immediately after the outburst of the secession, for the purpose of controlling and closing the navigation of it, and thereby coercing the people of the Northwestern States into submission to the rebel power, shows conclusively that there can be no security for the free navigation of it except by holding it, and its banks on either side, within the jurisdiction of the United States. The great facilities for smuggling, through the entry of goods into the Southern ports and their subsequent introduction into the North along such an extensive line of inland frontier as would exist on a separation of the States, — and the fact that rival interests would create sources of constant irritation, — furnish other reasons why the eventual establishment of the authority of the United States must be sought by the Northern States, even through a protracted contest, and at an enormous sacrifice. With victory secured, the North would rise up with renewed energy, and with its own material interests comparatively unimpaired, except by a decrease in the demand for articles heretofore furnished to the South.

Not so with the South. With a protracted contest, even victory is a substantial defeat. Cotton, which has been sup-

posed to be the great resource to carry them through the revolution, has, as we have seen, thus far proved a failure. It cannot be applied as a means to carry on the war to any great extent, except by a conversion into money or other articles; and as this could not be effected, the crop of the present year remains on hand. Only a certain amount of cotton, more or less, is required for the consumption of the world, and this crop, if it could have found a market, would have supplied the demand in England, France, and the Northern States. With the diminished demand for manufactured articles, the supply from other quarters has thus far sufficed, so that no great distress has supervened from the want of Southern cotton; not more, probably, than ordinarily occurs in the course of a commercial revulsion, perhaps not so much. Another full crop, if raised before this is disposed of, will operate as a reduction of its ordinary value, by furnishing an excess of supply for the existing machinery. In the mean time, every year's delay in getting it to market stimulates the cultivation of cotton abroad. If the present state of things continues two or three years, the competition of foreign cotton will reduce the price to perhaps two thirds, or even one half, of the rate heretofore paid; and with this reduction comes a corresponding reduction in the value of slaves and the value of plantations. It is for the interest of Great Britain to foster and protect the growth of cotton in her own dominions, and the production of a sufficient amount within her territory once secured, American cotton will not be allowed to ruin that source of national wealth.

Another resource of the South, which has thus far been the means of strength in the prosecution of the war, is slavery. The slaves are the producers, and the masters can all the better be spared to fill the ranks of the army. It will continue to be so until the troops of the United States penetrate the slave territory. Until that time, proclamations for emancipation, from whatever source, will be of no avail. The President and Congress have no more authority to emancipate the slaves, than the writer of this article. An attempt so to do would be a gross usurpation of power. The general at the head of the army has no right to emancipate them, except

as an incident to military occupations and operations; and whatever theory may exist on that subject, he can accomplish nothing further than he penetrates the country. So far as he does this, the question of his right to issue a proclamation for that purpose is not very material. The emancipation will take care for itself. He cannot fight the rebels successfully, and at the same time aid them to hold their slaves; and the result is practical freedom. If they avail themselves of it, because their masters have escaped from them, then there is no fugitive slave law to return them after the rebellion is suppressed. But if they remain until their masters have resumed their occupation under State authority, on the return of peace this practical freedom is not likely to prevent their return to bondage. When, however, the Northern army has made a successful march through Virginia into South Carolina, there is another result, which, while it cannot be contemplated but with horror, must, if it occur, be charged to those whose madness will have brought it upon them.

The great resource upon which the South has relied to carry it successfully through a revolution, has been the interference of Great Britain and France. It was assumed that cotton was a king at whose feet the people of Europe must prostrate themselves and their principles, and that, if Southern chivalry could not fight its own battles, they would, through this instrumentality, be fought for it by other powers. It remains to be seen whether this resource will be made available to the accomplishment of the object. What is the probability of such interference?

Without assuming the office of a prophet, we venture to express a confident belief that there will be no immediate change in the relations which at present exist between the United States and foreign powers, unless some new, and at present improbable, complication of those relations shall give rise to new and grave causes of hostility.

The sympathy of Russia with the United States has been manifested in a most friendly and generous manner.

Spain, not only in her proclamation of neutrality, but in the enforcement of it by the release of the prizes sent into Cienfuegos by the privateer Sumter, has given conclusive evidence that she has no sympathy with the rebellion.

With respect to France, there has been no supposition that there was danger of collision. The course thus far pursued by Napoleon III., and by the people of the French empire, while it has evinced a deep solicitude respecting the effect which the civil war might have upon the material interests of France, has at the same time furnished satisfactory evidence that the French government and the French people — with some exceptions certainly among their press and people — are disposed to accord to the United States all their rights, upon the most fair interpretation of the law of nations.

What is the probability that Great Britain will belie all her professions in favor of free principles, and tarnish her fair fame by an alliance with a rebellion, which, caused almost entirely by the opposition of the North to the extension of slavery, has organized a Confederacy with slavery for its chief corner-stone, and which, if successful in establishing its independence, will soon insist upon opening the slave-trade ?

There are certainly no grave causes of controversy or hostility between the United States and Great Britain. More than two generations of mankind have passed away since the period of the American Revolution, and very few remain within the confines of this world whose fading memories retain even a faint remembrance of that contest. The controversies which led to the war of 1812 have either been amicably settled, or have fallen out of sight, and there can be no rankling bitterness which arose out of them still remaining to find expression in the promotion of another war. Most of those who, on either side, were actively engaged in that contest, have laid their hostility to rest in the bosom of their common mother, — earth. That all causes of difference arising from two wars, and from divers controversies respecting boundaries, and other matters of dispute, had left no evil feeling on the part of the people of the United States, or at least the Northern and Western portion of them, was made most clearly apparent upon the occasion of the visit of the Prince of Wales to this country in 1860. There could not possibly be a more exuberant manifestation of perfect friendship than was exhibited, not only by all persons in official station, but by the great masses of the people, of all classes and conditions, from the time when

the heir apparent set his foot upon the soil of Michigan, until the moment when it left its last imprint upon that of Maine on his departure homeward. If there was any one who was weak enough to suppose that the grand pageant, which continued almost without interruption from day to day during his progress through the country, — in which President and Cabinet, governors and judges, senators and representatives, vied with one another in proffers of respect and courtesy, and in which the great body of the people made the welkin ring with their shouts of welcome, — was a mere demonstation of joy at the sight of a live prince, or a weak cringing to royalty, he must have greatly misunderstood the signs of the times. The enthusiasm, which seemed almost unbounded, while it was undoubtedly a spontaneous testimonial of respect to the Queen, showing the popular estimation of her Majesty as a sovereign, a woman, a wife, and a mother, was at the same time a demonstration of gushing good feeling for the government of the country and its people at large. Old causes of feud were forgotten, — rival industrial interests were for the time but as matters for a generous competition, — taunting words, which in bygone days had been profusely dispensed, gave place to courteous speech, which not only came trippingly from the tongue, but which welled up from the heart.

There was certainly no little cause for astonishment, and there might well be no little revulsion of feeling, on the part of the people of the Northern States, when, within some six months afterward, and before the incoming administration had time to make preparations for suppressing the insurrection, there was an effort in Parliament to give strength to it, by an acknowledgment of the independence of the Confederacy, and the establishment of commercial relations with it, which found large countenance from the English press.

It may be admitted — it is undoubtedly true — that much of this offensive demonstration had its origin, not in feelings of hostility, but in a belief that the rebellion must succeed, and in anticipated commercial relations with the new-born power thus proposed to be baptized into the great national and commercial church universal; which was — even upon the supposition of its existence — the offspring of treason and

fraud, lying in a cradle constructed by theft and robbery, and rocked and nursed by African slavery. But it appeared somewhat remarkable that the wise politicians who were thus willing to overlook the stigma upon the parentage of the bantling for which they were ready to stand as political godfathers, should at the same time have ignored the fact that the commercial intercourse of the Northern States was of some value to Great Britain, and that this was likely to be seriously interrupted at no distant day, if their project was accomplished. It may be, however, that they supposed, with the London Economist, that the dismemberment of the Union would paralyze both sections. The Economist, while disclaiming any feeling of hostility, very frankly admitted its joy at the prospect of the dismemberment, not merely on account of the commercial advantages to accrue to England, but because it would destroy the power of the people of the United States, and put an end to their vain boasting. As for the "boasting," it is quite true that in speeches in Congress, in inflammatory editorials, in fourth of July orations, lyceum lectures, and sometimes in things called sermons, we exhibit enough, and more than enough, of that miserable spirit; no small portion of it being (if regarded at all) offensive to England and Englishmen, although it is specially designed for home consumption. But there are at least two things to be considered in extenuation. We know what people, of all the world, have heretofore set us the example in this respect; and we know also from what people in bygone and later days have come the taunts and the disparagement which have given rise to no small portion of it. But when we gave the Prince of Wales his great ovation, we were not thinking of the old inquiry, "Who reads an American book?" nor of the characteristics which have more recently, over the water, been assigned to "our American cousins" and their democratic government. Whatever may have been said by politicians in Congress or out of Congress, or by newspaper correspondents or editors, or in great and small orations, furnishes no good reason why Great Britain should interfere on the Confederate side, in this civil war. A full share of this offensive boasting has had its location south of Mason and Dixon's line.

It was for a long time expected by the Southern leaders that Great Britain would raise the blockade to procure a supply of cotton, and great efforts were made to represent that it was not efficient. We had been at some pains to procure statistics on which to base a trustworthy estimate of the supply of cotton which will be received in Great Britain in 1862 from other sources than the Southern States, for the purpose of showing that her necessities in this respect would furnish no excuse for any such interference. No evil, such as ordinarily attends a commercial crisis, could furnish a sufficient reason. But we are relieved from a discussion of this subject by the London Economist, which — referring to the notion of the Southern political leaders, "that by starving France and England, by the loss and suffering anticipated as the consequences of an entire privation of the American cotton supply, they will compel those governments to interfere on their behalf, and force the United States to abandon the blockade" — says: —

"If they really expect such a high-handed violation of all international usage on our part, we can only say their leaders are less sensible and experienced men than we have hitherto supposed. There is not the remotest chance that either power would feel justified for a moment in projecting such an act of decided and unwarrantable hostility against the United States. We are less dependent upon the South than the South is upon us, as they will erelong begin to discover. It is more necessary for them to sell, than for us to buy. As we have more than once shown, the worst that can happen to us from a continuance of the blockade will be, that our mills will have to work two-thirds time; and it is by no means sure from present appearances whether the aggregate demand of the world would suffice to take off much more than three fourths of a full production, even if we had cotton in abundance."

The allegation that the blockade has not been so far effective as to comply with the rules of international law on that subject, if it may have been true at some places, has not been so to the extent which has been represented. The blockading force has in most instances been sufficient to make any open attempt to enter or leave the port dangerous. The number of arrivals and departures, which has been paraded as evidence

of its inefficiency, furnishes no proof against it. Nearly all of them have been fraudulent evasions of the blockade.

It is not incumbent on the party instituting a blockade to station a force at all the inlets and petty harbors on the coast, where there is no recognized port; where no entry could be made, or clearance had, in time of peace; and where, of course, if any commerce were carried on, it would be smuggling, and not a lawful commerce. Any running into and out of such places, in order to avoid the danger of the blockading force, is fraudulent, and has no tendency to show that the blockade is not effective.

Nor is it necessary that the blockading force should be such that a vessel, taking advantage of a skilful pilot and the darkness of midnight, cannot make her entry, or exit, without being discovered. To require such a blockade would be to require an impracticability. Vessels navigated by steam, to say nothing of sailing-vessels, by selecting their time, can in many instances run a blockake.

Whether the contrivances to evade the blockade are by the petty codfish hucksters of the Anglo-American colonies, who fraudulently clear for some of the West India Islands, and then slyly slip into Hatteras or some other inlet; or whether by the more pretentious "greedy merchants" of Hartlepool or some other "pool" on the English coast, "who care not how things go, provided they can but satisfy their thirst of gain,"* and who, violating at the same time the laws of their own government and those of the United States, the vaunted principles of British freedom and the proprieties of national intercommunication, sneak, in the darkness of night, into the harbor of Savannah or of Charleston, for the sake of acquiring the "almighty dollar" with the love of which they delight to taunt the Yankees; — it does not rest with Great Britain to allege that the success of such attempts, however numerous, by those whom she must admit to be, thus far, her unworthy subjects, can show an insufficiency of the blockade.

Almost at the time when we were writing the last sentence, the foreign relations of the United States were further com-

* Puffendorff, cited by Sir William Scott, 1 Rob. Adm. Rep. 352.

plicated by the seizure of Messrs. Mason and Slidell, on board the British steamer Trent, on her passage from Havana to St. Thomas, she being at the time on the high seas, and being (it is understood) a passenger vessel, owned by private parties, but carrying the British and foreign mails by contract with the government.

Messrs. Mason and Slidell had recently left the port of Charleston, in a vessel belonging to parties there, for the purpose of proceeding to Europe, by way of Havana, as "Ambassadors of the Confederate States," as they have generally been called; but a more correct designation would be, as the agents or commissioners of the Confederate government, for the purpose, it may be presumed from other facts too numerous here to be stated, of obtaining, if possible, an acknowledgment of the independence of the Confederate States, — of communicating with their agents already there, — and of aiding in the adoption of such measures as might promote the interests of those States in the existing war with the United States, by negotiations for the purchase of arms and munitions of war, and their transportation to the ports of the Southern States.

Mr. Jefferson Davis, in his late message to the Confederate Congress, speaks of them as "the distinguished gentlemen whom, with your approval, at the last session, I commissioned to represent the Confederacy at certain foreign courts"; and he charges the United States with having "violated the rights of embassy, for the most part held sacred even among barbarians, by seizing our ministers whilst under the protection and within the dominions of a neutral nation." It may be noted that this shows conclusively that their original destination was Europe, — that their proceeding to Havana in the first instance was merely for security, or convenience, and transshipment, — and thus that their voyage on board the Trent was merely a continuation of a voyage from Charleston to Europe. They were bearers of despatches, also, of the character of which we shall speak hereafter.

From this designation of them as "Ministers" and "Ambassadors," in the message, and elsewhere, it was but a matter of course that much of the discussion, in the papers of the day, has been upon the question of the right of a belligerent to stop

the *ambassador* of his enemy. The right is asserted by Vattel. It is reasserted by Sir William Scott, in this language: —

"I have before said, that persons discharging the functions of ambassadors are, in a peculiar manner, objects of the protection and favor of the law of nations. The limits that are assigned to the operations of war against *them*, by *Vattel*, and other writers upon those subjects, are, that you may exercise your right of *war against them*, wherever the character of hostility exists. *You may stop the ambassador of your enemy on his passage;* but when he has arrived, and has taken upon himself the functions of his office, and has been admitted in his representative character, he becomes a sort of *middle*-man, entitled to peculiar *privileges*, as set apart for the protection of the relations of amity and peace, in maintaining which all nations are in some degree interested." — *Case of the Caroline*, 6 Robinson's Adm. Rep. 467, 468.

The doctrine thus stated may, as between England and the United States, be regarded as a sound principle of international law.

"You may stop the ambassador of your enemy on his passage"? When, and where, and on what passage, may you stop him? It has been argued, in reference to this case, in substance, that he may be stopped only while in his own country, or while passing through the country with which his government is at war, or on the high seas in a vessel of his own country; and that in this case the stoppage was unlawful, because the ambassador when in a neutral vessel is in a neutral territory. Mr. Jefferson Davis falls into this error. He speaks, as appears in the extract above quoted, of seizing "our ministers while under the protection and within the dominions of a neutral nation"; and he adds, that "a claim to seize them in the streets of London would have been as well founded as that to apprehend them where they were taken," which shows that he has no very correct notions upon the subject. It is readily perceived that no possible question could arise respecting the right to stop the ambassador of your enemy, as you may stop any other enemy, when you find him in the enemy's territory; or if he attempt to pass through your own, on his way to his destination. There is as little doubt that you may not interfere with him while in neutral territory, without just cause of offence to the neutral power whose territory protects him;

and no question whatever that a neutral vessel on the high seas is, as respects belligerent rights, in no just sense neutral territory. The right in time of war to search a neutral vessel which may reasonably be supposed to have contraband goods on board, and to capture and confiscate the vessel, as well as the goods, shows conclusively a marked distinction between the vessel and the territory of the neutral, the latter not being the subject of search, and of course not of seizure and of confiscation, on the ground that munitions of war are found there, — even with evidence that they were intended to be conveyed to the enemy. The question of contraband, or not, does not arise until the goods are on their transit, and out of the local neutral jurisdiction. If then, as a matter of international law, you may stop the ambassador of the enemy, you may stop him on his outward passage while on board a neutral vessel.

But the further question immediately presents itself, May you stop him in all cases where you find him thus in the neutral vessel, and if not, upon what voyage must he be found in order to the exercise of this right? Vattel and the text-writers, in laying down the proposition, could not have contemplated merely the case of a stoppage on a voyage from one port of the enemy to another port belonging to him, because the passage of an ambassador is not ordinarily of that character. Sir William Scott evidently did not so apply it, because he was not speaking with even the most remote reference to any such case. He added, as we have seen, "But when he has arrived, and has taken upon himself the functions of his office"; showing that the "passage" he had in contemplation was a passage to the place where he was to exercise those functions. This shows also that the principle is not applicable merely to an ambassador returning in a neutral vessel to his own country after his functions have ceased; nor to the case of an ambassador who, after his reception at the neutral court, is proceeding to another neutral port, for a temporary purpose, on private business, — for that is the very case of all others, if there be one, in which you cannot stop him, because his character of ambassador may be held to continue, and protect him, as if he were still in the neutral country to which he is accredited.

The conclusion would seem to be, that he may be stopped in a neutral vessel, on the high seas, on his way to the country to which he is sent, before his arrival and reception, and before, therefore, he is entitled to the protection of the neutral nation to which he is accredited. And if he may be stopped when proceeding directly from his own port in a neutral vessel, it is not material, so far as the right to stop is concerned, that he has touched at an intermediate port, for the purpose of greater supposed security, and for transshipment. His character of hostility exists as much in the one case as in the other, and it is only when he has arrived in the country in which he is to exercise his office, that this character of hostility ceases, and that of a "*middle*-man," entitled to peculiar privileges, attaches to him, and the neutral territory protects him. But if he is received on board at a neutral port, with no circumstances to excite suspicion that any character of hostility attaches to him, that may well affect the question whether the vessel is liable to confiscation.

It is true that the case of the Caroline was one in which the question related to the carriage of despatches from the Minister and Consul of France in the United States to the government of France; and it has been objected that the remarks of Sir William Scott on this subject were therefore mere *obiter dicta*, that is, the expression of his opinion. But he was led by the case to consider this very subject, and it is evident from the context and the citation from Vattel, that it was a well-considered opinion. So the text-writers, so far as they speak of the principle, have received it; for they have promulgated the rule, as thus stated, without doubt or question. At least, we have not seen or heard of anything to the contrary.

We are aware that in the same case Sir William Scott, speaking of despatches, says: —

"The neutral country has a right to preserve its relations with the enemy, and you are not at liberty to conclude that any communication between them can partake in any degree of the nature of hostility against you. The enemy may have his hostile projects to be attempted with the neutral state; but your reliance is on the integrity of that neutral state, that it will not favor nor participate in such designs, but, as far as its own councils and actions are concerned, will oppose

them. And if there should be private reason to suppose that this confidence in the good faith of the neutral state has a doubtful foundation, that is matter for the caution of the government, to be counteracted by just measures of preventive policy, but it is no ground on which this court can pronounce that the neutral carrier has violated his duty by bearing despatches, which, as far as he can know, may be presumed to be of an innocent nature, and in the maintenance of a pacific connection."

But these remarks will not apply to an ambassador for the first time on his passage. If he is proceeding, in time of war, upon an embassy to another nation, even a neutral nation, he goes as a high official, to support the interest of his country there in relation to the war, as well as other matters, and his character is necessarily that of hostility. When he arrives, the neutral territory will protect him; and then perhaps it is not to be presumed that his communications *to the neutral government* are those of hostility, and that you are to place reliance upon the integrity of that government.

We have stated this matter thus at large to show that, on the express statement of the official organ of the Confederate government, these persons were not mere peaceful passengers on their private business, as they seem inclined to represent themselves in their "protest"; and that, if they had possessed the official character which their commissions assumed to confer upon them, they would have been liable to capture.

But these persons were not ambassadors; — no question respecting the rights of an ambassador, or the protection of an ambassador, is brought directly in question by the seizure; — and the case of the United States is all the stronger because they were not entitled to that character.

The right to send an ambassador, and of course to confer the privileges of an ambassador so far as the party sending has the power so to do, is a national right, and not a belligerent right. And as neither the British government, nor any other government, had acknowledged the nationality of the Confederate States, the latter were not authorized to commission an ambassador.

Messrs. Mason and Slidell were public agents of the Confederate States of high official standing, — commissioners, bearers of despatches to other agents of those States already abroad,

and charged with other errands of hostility to the United States, — designated as ambassadors, but possessing neither the character nor the privileges of that office. The general question then comes, May such hostile agents of the enemy — proceeding from the enemy's country in an enemy's vessel, but, for the purpose of avoiding capture, stopping in the territory of one neutral, and there transferring themselves to the vessel of another neutral — be stopped and captured while they, with their despatches, are on board the latter vessel, not having arrived at any territory occupied by that neutral? This is the first general question.

It may be admitted that there is no precedent which precisely covers all the facts of this case; and we are therefore put upon the inquiry, What is the true principle applicable to this new state of facts, and by which the question is to be solved?

Asking our readers to bear in mind what we have already stated in regard to the rights, duties, and obligations of neutrals, we proceed to further citations from the opinions and judgments of Sir William Scott, expressed and rendered in 1807, which were not only binding decisions at the time, determining the disposition of very large amounts of property, and then received as sound expositions of law by the British crown and people, but which have since been generally regarded as authority by the best elementary writers in England and in this country.* So far as we are aware, they commanded the entire confidence of British statesmen and lawyers, until within perhaps the last thirty days. The estimation in which Sir William Scott was held by the British government appears from the fact, that he was afterward raised to the peerage, with the title of Lord Stowell. Our apology for occupying so much of our space with these extracts is, that the volume in which the judgments are published is not of ready access to general readers.

Case of the Orozembo, 6 Robinson's Adm. Rep. 430–439. This was a case of an American vessel,

"that had been ostensibly chartered by a merchant at Lisbon, 'to proceed in ballast to Macao, and there to take a cargo to America,' but

* See 3 Phill. Int. Law, 368–373; 1 Kent, 152, 153; Wheaton's Int. Law, Part IV. Chap. 3, Sect. 25.

which had been afterwards, by his directions, fitted up for the reception of three military officers of distinction, and two persons in civil departments in the government of Batavia, who had come from Holland to take their passage to Batavia, under the appointment of the government of Holland. There were also on board a lady and some persons in the capacity of servants, making in the whole seventeen passengers."

"*Sir William Scott*. . . . . That a vessel hired by the enemy for the conveyance of military persons is to be considered as a transport subject to condemnation has been in a recent case held by this court, and on other occasions. What is the number of military persons that shall constitute such a case, it may be difficult to define. In the former case there were many, in the present there are much fewer in number; but I accede to what has been observed in argument, that number alone is an insignificant circumstance in the considerations on which the principle of law on this subject is built; since fewer persons of high quality and character may be of more importance than a much greater number of persons of lower condition. To send out one veteran general of France to take the command of the forces at Batavia, might be a much more noxious act than the conveyance of a whole regiment. The consequences of such assistance are greater, and, therefore, it is what the belligerent has a stronger right to prevent and punish. *In this instance the military persons are three; and there are, besides, two other persons, who were going to be employed in civil capacities in the government of Batavia. Whether the principle would apply to them alone, I do not feel it necessary to determine. I am not aware of any case in which the question has been agitated; but it appears to me,* ON PRINCIPLE, *to be but reasonable that, whenever it is of sufficient importance to the enemy that such persons should be sent out on the public service, at the public expense, it should afford equal ground of forfeiture against the vessel that may be let out for a purpose so intimately connected with the hostile operations.*

"It has been argued, that the master was ignorant of the character of the service on which he was engaged, and that, in order to support the penalty, it would be necessary that there should be some proof of delinquency in him, or his owner. But I conceive that is *not* necessary. It will be sufficient if there is an injury arising to the belligerent from the employment in which the vessel is found. In the case of the Swedish vessel there was no *mens rea* in the owner, or in any other person acting under his authority. The master was an involuntary agent, acting under compulsion, put upon him by the officers of the French government, and, so far as intention alone is considered, *perfectly innocent*. In the same manner, in cases of *bona*

*fide* ignorance, there may be no actual delinquency; but if the service is injurious, that will be sufficient to give the belligerent a right to prevent the thing from being done, or at least repeated, by enforcing the penalty of confiscation. . . . . .

"*If it has appeared to be of sufficient importance to the government of the enemy to send them, it must be enough to put the adverse government on the exercise of their right of prevention.*"

Case of the Atalanta, 6 Rob. Adm. Rep. 440 – 460.

"*Sir William Scott.* . . . . . This being the fact then, that there were on board public despatches of the enemy, not delivered up with the ship's papers, but found concealed, it is incumbent on the persons intrusted with the care of the ship and her cargo to discharge themselves from the imputation of being concerned in the knowledge and management of this transaction. . . . . .

"Not to have pointed them out to the attention of the captors amounts to a fraudulent dissimulation of a fact, which, by the law of nations, he was bound to disclose to those *who had a right to examine, and possess themselves of all papers on board.* . . . . .

"That the simple carrying of despatches between the colonies and the mother country of the enemy is a service highly injurious to the other belligerent, is most obvious. . . . . It is not to be argued, therefore, that the importance of these despatches might relate only to the civil wants of the colony, and that it is necessary to show a military tendency; because the object of compelling a surrender being a measure of war, whatever is conducive to that event must also be considered, in the contemplation of law, as an object of hostility, although not produced by operations strictly military. How is this intercourse with the mother country kept up in time of peace? By ships of war, or by packets in the service of the state. If a war intervenes, and the other belligerent prevails to interrupt that communication, any person stepping in to lend himself to effect the same purpose, under the privilege of an ostensible neutral character, does in fact place himself in the service of the enemy state, and is justly to be considered in that character. Nor let it be supposed that it is an act of light and casual importance. The consequence of such a service is indefinite, infinitely beyond the effect of any contraband that can be conveyed. . . . . .

"Unless, therefore, it can be said that there must be a plurality of offences to constitute the delinquency, it has already been laid down by the Superior Court, in the *Constitution*, that fraudulent carrying the despatches of the enemy is a criminal act, which will lead to condemnation. Under the authority of that decision, then, I am warranted to

hold, that it is an act which will affect the vehicle, without any fear of incurring the imputation, which is sometimes strangely cast upon this court, that it is guilty of *interpolations* in the laws of nations. If the court took upon itself to assume *principles* in themselves novel, it might justly incur such an imputation; but to apply established principles to new cases cannot surely be so considered. All law is resolvable into general principles. The cases which may arise under new combinations of circumstances, leading to an extended application of principles, ancient and recognized by just corollaries, may be infinite; but so long as the continuity of the original and established principles is preserved pure and unbroken, the practice is not *new*, nor is it justly chargeable with being *an innovation* on the ancient law; when, in fact, the court does nothing more than apply old principles to new circumstances. . . . . .

"To talk of the confiscation of the noxious article, *the despatches*, which constitutes the penalty in contraband, would be ridiculous. There would be *no* freight dependent on it, and therefore the same precise penalty cannot, in the nature of things, be applied. It becomes absolutely necessary, as well as just, to resort to some other measure of confiscation, which can be no other than that of the vehicle. . . . . .

"The general rule of law is, that where a party has been *guilty of an interposition in the war*, and is taken *in delicto*, he is not entitled to the aid of the court to obtain the restitution of any part of his property involved in the same transaction. It is said that the term 'interposition in the war' is a very general term, and not to be loosely applied."

Case of the Susan, 6 Rob. Adm. Rep. 461, note.

"The Susan, an American vessel, captured on a voyage from Bordeaux to New York, having on board a packet addressed to the Prefect of the Isle of France (of which it did not appear that it contained more than a letter, providing for the payment of that officer's salary). The master had made an affidavit, averring his ignorance of the contents, and stating that the packet was delivered to him by a private merchant, as containing old newspapers and some shawls, to be delivered to a merchant at New York. The insignificance of such a communication, and its want of connection with the political objects of the war, were insisted upon. But the court overruled that distinction, under observations similar to those above stated; and on the plea of ignorance observed, that, without saying what might be the effect of a case of extreme imposition practised on a neutral master, notwithstanding the utmost exertions of caution and good faith on his part, it must be taken to be the *general rule*, that a master is not at

liberty to aver his ignorance, but that, if he is made the victim of imposition, practised on him by his private agent, or by the government of the enemy, he must seek for his redress against them."

Case of the Caroline, (from which citations have already been made,) 6 Rob. Adm. Rep. 461–470.

"This was a case of the same general class as the preceding, on the question of *despatches*, found on board of an American ship, which had been captured with a cargo of cotton and other articles, on freight on a voyage from New York to Bordeaux. In this case the despatches were those of the French Minister and the French Consul in America, going to the departments of government in France."

"*Sir W. Scott.* . . . . . In this case a distinction was taken, very briefly, in the original argument, which I confess struck me very forcibly at the moment, that carrying the despatches of an ambassador, situated in a neutral country, did not fall within the reasoning on which the general principle is founded; and I cannot but say, that the further argument which I have heard on that point, and my own consideration of the subject, have but confirmed the impression which I then received of the solidity of this distinction. . . . . .

"It has been asked, What are despatches? To which, I think, this answer may safely be returned: that they are all official communications of official persons on the public affairs of the government. The comparative importance of the particular papers is immaterial, since the court will not construct a scale of relative importance, which in fact it has not the means of doing, with any degree of accuracy, or with satisfaction to itself. It is sufficient, that they relate to the public business of the enemy, be it great or small. . . . . It is not to be said, therefore, that this or that letter is of small moment; the true criterion will be, Is it on the public business of the state, and passing between public persons for the public service? *That* is the question. . . . . But if the papers so taken relate to public concerns, be they great or small, civil or military, the court will not split hairs, and consider their relative importance. . . . . .

"The circumstances of the present case, however, do not bring it within the range of these considerations, because it is not the case of despatches coming from any port of the enemy's territory, whose *commerce* and communications of every kind the other belligerent has a right to interrupt. They are despatches from persons who are in a peculiar manner the favorite objects of the protection of the law of nations, *ambassadors*, resident in a neutral country, for the purpose of preserving the relations of amity between that state and his own government. . . . . .

"It has been argued truly, that, whatever the necessities of the negotiation may be, a private merchant is under no obligation to be the carrier of the enemy's despatches to his own country. Certainly he is not: and one inconvenience, to which he may be held fairly subject, is that of having his vessel brought in for examination, and of the necessary detention and expense. He gives the captors an undeniable right to intercept and examine the nature and contents of the papers which he is carrying; for they *may* be papers of an injurious tendency, although not such, on any *a priori* presumption, as to subject the party who carries them to the penalty of confiscation, and by giving the captors the right of that inquiry, he must submit to all the inconvenience that may attend it. Ship and cargo restored *on payment of captors' expense.*"

It will be found, we think, from a careful examination of these opinions, that the general principle applicable to the case is, that the subject or citizen of the neutral nation may not do anything directly auxiliary to the warlike purposes of a belligerent, or, as it is expressed in other words, anything which has a direct tendency to promote his warlike operations; and that the transportation of agents whose business is to promote or facilitate any hostile operations, or of despatches which have, or may be presumed to have, a hostile character, is a rendition of aid to the belligerent which justifies the capture of the persons and despatches, and if done with knowledge, actual or constructive, is such a violation of neutrality as authorizes the capture and confiscation of the neutral vessel.

Speaking of the right of search, it has been said: "The only security that nothing is to be found inconsistent with amity and the law of nations is the right of personal visitation and search, to be exercised by those who have an interest in making it." We have here another expression of the general principle which regulates neutral rights and duties. It is not merely that the neutral is not warranted in carrying this or that article, or this or that person. He is not to carry anything which is inconsistent with the amity which subsists between his nation and the belligerent, and which he should maintain toward the belligerent.

Having ascertained the principles which are applicable, we turn again to the facts of this case. Probably no one doubts

that Messrs. Mason and Slidell were the public agents of the Confederate States, charged with all manner of duties of a belligerent character. But Great Britain may reasonably ask for some evidence of the fact, as a justification for their removal from the Trent. The proof will doubtless be found to be abundant, but our space permits only two or three suggestions. In the first place, there is the message of Mr. Davis, in which he states that they are commissioned, and speaks of them as "Ministers," showing them to be public agents for the promotion of the interests of the revolutionary government.

In the next place, there is a conclusive presumption that their agency was of a belligerent character, because the people of the Confederate States, being in rebellion, waging a civil war, and acknowledged only as a belligerent power, whatever is to be done for their success is necessarily of a belligerent character. The voyage of their agents to Europe was "directly auxiliary to the warlike purposes" of the Confederacy, and as hostile as if they had been officers or soldiers on their way to aid the enemy. An attempt merely to procure an acknowledgment of the independence of the Confederate States, while the United States are surrounding them with forces by land and sea, is of itself an act of hostility to the United States. The object could only be encouragement and aid in the prosecution of the war, as there is no practical independence.

Similar remarks apply to the despatches. That such documents were on board is not now concealed. The failure of Captain Wilkes to find them has been a matter of exultation. Lieutenant Fairfax was not bound to search for them after the captain of the Trent refused to show his passenger list or to give any information. He might well suppose that they were then beyond reasonable search, perhaps concealed by some of the ladies connected with the agency, in what the Boston Post, speaking of the secret transmission of traitorous correspondence by Secession ladies in the vicinity of Washington, termed "the holy precincts of their nether garments." The Confederate States had no minister, nor any consul, in Europe; but they had agents there actively attempting to pro-

cure an acknowledgment of their independence, and engaged in purchasing and transmitting munitions of war to the Southern ports. The despatches, then, must be presumed to relate to these subjects.

The fact that the voyage of the neutral vessel was from one neutral port to another would not have exempted these persons from capture, even if they had been ambassadors from a recognized nation, their mission being of a hostile character. *A fortiori*, it cannot exempt them when they are mere agents. The character of hostility which necessarily attaches to them as the public agents of a mere belligerent power, proceeding with despatches which from the nature of the case must be presumed to be to hostile agents and for hostile purposes, shows a right to capture them, even if an ambassador might be exempted on such a voyage because he was a "*middle*-man." We have the distinct opinion of Sir William Scott that the transportation of civilians may be ground of forfeiture.

The neutral vessel was rendering aid in the accomplishment of these hostile purposes, just as much as she would have been if her voyage had been direct from the belligerent port. The neutral right, therefore, cannot protect the hostile agent, whether there was or was not knowledge. The want of knowledge might protect the vessel. But here was ample evidence to charge the captain of the Trent with full knowledge of the character of hostility; and it may probably be shown that the embarkation at Havana was with sufficient pomp and circumstance to constitute plenary evidence, if there were no other.

The Trent was a private passenger packet, with the advantage of a contract to carry the mails. She was a common carrier of passengers, and perhaps of goods also, but had no more of the character of a government vessel than the railroad car which carries the mail and the mail-agent, under a contract with the postmaster-general, has the character of a government vehicle. She was therefore liable, under the circumstances, to capture, and to confiscation also.

But here comes another, and it would seem, from recent suggestions, the main point to be considered. The Trent was not captured. It is said that for this reason the proceedings

are all irregular, and that a demand for a delivery of the prisoners is to be made by the British government, founded upon the neglect to make the capture, and the consequent lack of any proof of a right to take the persons. This is quite too narrow a view of the matter, and we shall not believe, until we have demonstrative assurance, that the law officers of the Crown will place themselves upon such a small and slippery foundation. We shall not enlarge upon the ill grace with which Great Britain would urge the objection, not that Mason and Slidell could not be taken, but that Captain Wilkes did not capture the steamer, send her in for trial and confiscation, and in so doing delay her Majesty's mails, and derange the business of all the passengers and others concerned in the regular trip of the vessel, — that there was therefore no adjudication of a prize court to show that the persons could be captured, and no other evidence would be received. Nor need we show what a gross outrage it would be to fasten a quarrel upon the nation whose officer had been guilty of such an act of comity and favor. If blood ever cries to Heaven for vengeance, it would be the blood shed in a war having such a foundation. And if all Christendom did not cry, Shame! it would show that the part of it which failed in the performance of that duty to humanity had lost all consciousness of the difference between right and wrong. Such a failure to do Great Britain an injury may possibly be made a *pretext* for war. It can never be the foundation of a *point of honor*, requiring an apology.

But it is argued, that in no other way than by sending in the vessel can it be shown by regular proof that the right to seize these persons existed; and therefore, that, by reason of the failure to send in the vessel, we cannot establish the right of seizure. It is alleged that it has always been the law of the world, that every cruiser making a seizure on board of a vessel shall bring the vessel in, and subject the lawfulness of the seizure to adjudication in a prize court; and that there is one excuse only, and that is a want of force on the part of the captors to man the prize. Very well, we have one case, then, in which it is not necessary to establish the right to seize, by the decision of a prize court. Now suppose that Captain

Wilkes had seized the despatches, and, taking them and Messrs. Mason and Slidell on board of the San Jacinto, (as we suppose he had a right to do, for safety, if he had a right to seize the Trent,) had then put a prize crew on board of her, and that she had afterward foundered at sea, or been captured by a Confederate privateer. The proceedings in admiralty for confiscation are *in rem;* and the *thing* being gone, no evidence of the right to seize could be had through the adjudication of a prize court. This would not have discharged the persons, nor forfeited the right to withhold the despatches. Here, then, seems to be another case.

We readily admit that the officer making a seizure cannot confiscate the property. If a judgment of confiscation is sought, the property must be libelled. The vessel is sent in as prize, and because she is prize, and is to be disposed of as prize; and not because she is necessary as evidence. Evidence other than that found on board the vessel may be received. (6 Robinson, 351, Case of the Romeo.)

But we have seen by the opinion of Sir William Scott, that *despatches are not the subject of confiscation; and it is at least equally clear that Messrs. Mason and Slidell are not so. If the vessel had been sent in, there could not have been any proceeding in the prize court against them or the despatches, and of course no judgment against either.* It is true that, the violation of neutrality by the transportation of the persons and of the despatches being the alleged ground of the seizure and of the claim of forfeiture, the question whether the persons were to be regarded as hostile agents, whether the despatches were of a hostile character, and all other questions affecting the right to seize, would be directly before the court, and would be determined there, *for the purposes of that case; that is, for the purpose of deciding whether the vessel was liable to confiscation or seizure, but no further. The judgment of the prize court would not operate upon the persons or papers.* While, upon the ordinary principles of law, in the absence of fraud or gross mistake, Great Britain would be bound to respect and abide by the decree of the court, so far as regarded the vessel, as the United States have done in relation to the decisions of Sir William Scott, there would be nothing in the

judgment of the court to prevent that government from claiming of the United States the persons and papers, on evidence to be adduced in support of the claim, if it was believed that the opinion of the prize court was erroneous.

The distinction between evidence necessary to prove an issue, and the matter in issue, is familiar to every sound lawyer. A man is indicted for stealing the property of A. B., and in order to procure a conviction it must be proved, to the satisfaction of the jury, that the property alleged to have been stolen was the property of A. B., and this being done, the defendant is convicted. But this will not prevent C. D. from afterward sustaining a suit, to recover the property or its value, on evidence that it in fact belonged to him. It may be said that the reason is, that C. D. was not a party to the proceedings under the indictment, and so not bound by the proceeding there; but that in the prize court, where the proceedings are *in rem*, all persons interested in the property are regarded as parties, and bound by the decree. Admit it. But they are parties only as to the matter in issue, and not as to the evidence; and they are bound therefore only so far as the judgment goes, that is, by the confiscation of the vessel.

We claim, then, to have shown that the seizure, and even the confiscation, of the vessel would have determined nothing in relation to Messrs. Mason and Slidell, except for the purpose of the inquiry, Prize or not prize? that the judgment in the prize court would in no wise have operated upon them; and that the opinion which that court entertained, so far from being conclusive on the British government in relation to their capture, would not, in a legal point of view, be even *prima facie* evidence. In a diplomatic correspondence between that government and the United States, it might, if it existed, be used as evidence; but other evidence would be equally admissible on either side. On the other hand, the judgment of the prize court releasing the vessel, based upon the expressed opinion of the judge that the persons were not liable to capture, and that the neutral vessel was in the regular exercise of her rights, while it may have furnished ground for an application to the government for their discharge, would not have been legal evidence of a right to their liberty.

We maintain, therefore, that all questions respecting the legality of the seizure of persons on board of neutral vessels, so far as they affect the persons themselves, or the relations of the government to which they belong and that making the seizure, are either legal questions for courts of common-law jurisdiction, or political questions to be settled by negotiation, if they can be settled in that mode.

If these positions are correct, the conclusion cannot be escaped that the capture of the vessel was not necessary, either as matter of substance or of form, in order to justify the capture of the persons. "*Lex neminem cogit ad vana seu inutilia.*" "*Utile per inutile non vitiatur.*"

But it may be asked, Has the captain of a belligerent cruiser a right to overhaul the merchant-vessel of a neutral nation, and take men out of her, on the plea that they are enemies, without any adjudication as to the right to make the capture? We answer, Certainly, if he can make proof of the right afterward. There can be no adjudication at the time. He does it on his responsibility and the responsibility of his government, if the right cannot be established. If he may seize vessel, crew, cargo, and passengers on this responsibility, and send them all into port, surely he may seize the hostile passengers who give occasion for the capture. In fact, if Captain Wilkes had seized the vessel, it would have been his duty to take Messrs. Mason and Slidell on board his own vessel for security, and on his arrival to report, and deliver them into the custody of the government, which might at once have released them, and this without affecting the proceedings against the vessel.

Further, a party who has a right may waive that right; certainly, if others are not thereby prejudiced. The only parties interested in favor of the capture of the Trent were the United States and the officers and crew of the San Jacinto. Captain Wilkes, in behalf of the United States, and for himself, his officers, and crew, waived the right to make the capture; and the government has sanctioned that proceeding. Is Great Britain prejudiced?

The speeches at the banquet of the Lord Mayor of London certainly did not indicate a rupture of the friendly relations

between the United States and Great Britain within a very short period; but it must be admitted that this furnishes no absolute assurance.

If Great Britain insists upon the delivery up of the prisoners, and the Cabinet at Washington surrender them *upon the ground that the demand is a distinct abandonment of the doctrines which she and her prize courts have heretofore so persistently maintained*, the people will acquiesce, and she may yet believe that she has gained nothing by the course thus pursued. If she demand an apology because *the United States have merely followed out those doctrines*, we venture the opinion that she will not get it.

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## Art. XI. — CRITICAL NOTICES.

1. — *The Progress of Religious Thought as illustrated in the Protestant Church of France; being Essays and Reviews, bearing on the chief Religious Questions of the Day.* Translated from the French; with an Introductory Essay on the Oxford Essays and Reviews, by the Editor, John R. Beard, D. D. London: Simpkin, Marshall, & Co. Boston: Walker, Wise, & Co. 1861. 12mo. pp. 435.

The "Essays and Reviews" which Dr. Beard has issued to supplement the English volume bearing that name are translated from the French of the school of liberal thinkers represented by the Strasburg Theological Review, the leading preachers of the Consistoire in Paris, and the University of Leyden. He has confined himself to six writers, — Scholten, Réville, Grotz, Scherer, Colani, and Renan, — all of them eminent for scholarship, eloquence, and logical power. It is not now our purpose to discuss the theological views presented in these Essays. We may say, however, that the faith of the volume is positive, and that its critical judgments, though free and bold, are not destructive. The "tendencies" of most of the writers are understood to be in the direction of rationalism; but their rationalism is not here offensively prominent. The miracles of the New Testament are discussed by Scherer, the most radical of all the writers; but they do not seem to be denied or to be explained away. The essay on Calvin by Renan is as calm and impartial as the essay on Revelation by Grotz is broad

and comprehensive. Our objection to Scholten's disquisition on Modern Materialism and its causes is rather that it is too severe upon the materialists than that it diverges from the common theory. The article on the Future Life, by Réville, is not only a complete refutation of the sceptical views of Strauss, but is a most vigorous and original plea for the continued being of man, on teleological grounds. The themes of the volume are various, and the several essays are skilfully arranged, so as to go on from science and dogma to the Church and the Scriptures. In ability of reasoning, in breadth of survey, and in freshness of thought, these essays, we must think, are decidedly superior to those of the English volume which has made so much stir. They are a more valuable contribution to religious science, though they are only specimens of what the writers are giving forth continually. They will unquestionably stimulate an appetite for more of the same kind; and they will do good if they call attention to the remarkable development which is now showing itself, not only in the Protestant, but in the Catholic Church of France. Not the least valuable among the contents of the volume are the short introductory notices of the several writers, which have been furnished by Dr. Réville. An article in the Christian Examiner of November, 1859, gave an account of Timothy Colani and his labors as a preacher and editor, but the biography of the other writers in the volume will be, we doubt not, entirely new to English and American readers. We trust that the present work may be only the beginning of a series which shall reproduce the fruits of French theological thought and study, as the Foreign Library of the Messrs. Clark of Edinburgh has reproduced the best theology of Germany.

The translations are unequal in merit. Those by Dr. Davison are well done; others are indifferent, and some are very poor. The kind and quantity of typographical blunders are disgraceful to any respectable publishing house.

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2. — *L'Ouvrière.* Par JULES SIMON. Paris: Hachette. 1861. 12mo. pp. 426.

WHATEVER comes from the pen of M. Jules Simon is well worth reading. He touches no subject which he does not dignify, illustrate, and, we had almost said, exhaust. He does nothing lightly, nothing carelessly; but all his works have an earnestness which comes from deep and strong conviction. He has written about Natural Religion in the spirit of a sincere and serious believer in revealed religion. He has written about Duty in words which make Wordsworth's Ode seem tame in the comparison. He has written about Liberty with insight

as keen as that of John Stuart Mill, whom the English regard as the master on this theme, and with eloquence far surpassing his. With philosophic and metaphysical tastes, he yet brings to practical matters a zeal and a skill which are rare in men who call themselves practical. The historian of the "Alexandrine School" can bend himself to the investigation of the sanitary and industrial condition of modern France as to a task of love. The philosopher is a patriot, the patriot is a philanthropist, and the philanthropist is an ardent reformer.

The last work of M. Simon, and, in our judgment, his most useful work, is this treatise on the labor and the needs of the female operatives of the French empire. It has at once all the pathos of a poem and all the accuracy of a scientific report. The writer sympathizes with the class which he describes, and does not constrain his speech to cold observation and suggestion. Yet his tone is moderate; there are no invectives against bad rulers, no bitter laments over any sins or follies. He aims only to set forth the actual state of women in the working class, and to show, if he can, how the evils may be remedied, and the condition of this class made tolerable, and even comfortable. His book is divided into four parts. The first treats of the labor of women in the silk manufacture, which is performed mostly by hand. He shows here the vast superiority, morally, of labor at home to labor in the workshops, and the greater safety of this work when done in country homes to the same work when done in crowded city quarters. The second part treats of labor in the factories where mechanical power is used, especially in the factories of cotton, woollen, and linen goods. The third part is devoted to what the author calls "*La Petite Industrie*," — the occupations of knitting, sewing, embroidery, making gloves, shoes, bonnets, lace, and all the minor articles of convenience and luxury, — domestic service being included under this head. The fourth part treats of the remedies which have been tried for the evils incident to female labor, and of those which ought to succeed, — of almsgiving, of hospitals, of societies for mutual economy and aid, of model lodging-houses, of free education, and the like. This abstract of topics, however, can give no idea of the full and interesting discussion which M. Simon has made under every head, — of the details of processes, economies, habits of life, and morality which he has furnished, sufficiently, but not redundantly. His book is a picture, or rather a series of pictures, of the private and the common life, the liabilities, the miseries, and the few blessings of women condemned painfully to earn their daily bread and the bread of their children. His statistics and figures are more eloquent even than his rhetoric, and if the resulting impression is one of sadness, it is not the fault of the writing so much as of the

facts. We had supposed that the French laboring woman was superior in condition to the English; but this book undeceives us. The rate of wages is lower than in England, and in few instances is above the lowest amount necessary to sustain life. Very few French women are enabled to make any provision for their future; and the illicit connections which they are so ready to form, and which the custom of the nation not only tolerates, but encourages, are really in most instances the alternative to utter destitution.

For the evils of the system of female labor in France M. Simon sees a cure only in the influences of *home* and of domestic life. He is sanguine in his estimate of this remedy, and he has no faith in any other. Trade-unions and relief-associations may be useful in some degree, but they are only secondary, and can do no good without the influences of the family. Mere charitable institutions seem to M. Simon to be, with all their good intentions, positively injurious, fostering the evil they are designed to heal. The spirit of this book, and its noble vindication of honorable married life, and of life in the country as better than the crowded life of cities, cannot be too highly commended; and though it was written of French women and for France, many of its suggestions are apt and useful for America and its workwomen.

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3. — *Les Misères d'un Millionnaire.* Par AMÉDÉE ACHARD. Paris: Hachette. 1861. 2 vols. 12mo. pp. 688.

OF any book which bears the name of Amédée Achard as its author it may be confidently predicted that it will be well written, will abound in scenic contrasts and dramatic positions, will have no sickly sentiment, and will be unsatisfactory in its moral conclusions. M. Achard's theory of life seems to be, that virtue, purity, and disinterestedness are excellent, and would be expedient if they were only possible; that worldliness, ambition, social pride, and large wealth are sure to bring misery, but that they are social necessities as well as the natural instincts of the depraved human heart. In this last brilliant novel he has undertaken to show what wretchedness accompanies the possession of wealth; how unhappy a man who has acquired millions may be made by his property, even when he feels secure in his place; how domestic difficulties, the follies of a wife, the extravagances of children, the deception of clerks and servants, the fluctuations of commerce, the anxieties, fears, and mortifications incident to the position of a nabob, may destroy all the satisfaction which comes from the consciousness of being rich, and of being powerful through riches. The series of scenes and developments which brings in this conclusion is admirably drawn and

sustained. Yet we are afraid that the last result will not be to discourage the passion for wealth, or the ambition to be a lord on the exchange, with a great hotel and horses and retainers and splendor at command. The fashionable world, with all its folly, guilt, and sorrow, will remain more fascinating than provincial simplicity and innocence. It is very hard for French novelists, even when they paint the blessings of purity and humility, to teach virtue or to make poverty attractive.

We forbear to give an analysis of M. Achard's novel. Its merits are a clear and sparkling style, vividness of description, and individuality in the drawing of characters. Its defects are the crowding of personages, the length of the episode, and the introduction of some coarse scenes of Parisian life. There is no man in the book who could be called pure, according to the standard of English morality. The women are better; but some women are introduced whose presence adds nothing to the moral worth of the story.

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4. — *Pictures of Old England.* By Dr. Reinhold Pauli, Author of "Alfred the Great," etc. Translated, with the Author's Sanction, by E. C. Otté. Cambridge: Macmillan & Co. 1861. Small 8vo. pp. xii. and 451.

This is a translation of a series of sketches with which the author illustrated his "History of England in the Middle Ages." It contains many curious facts in relation to the social life and commercial position of mediæval England. "The Hanseatic Steelyard in London" shows that the old position of the German merchants in England was the same as that of the English in China, and the Dutch in Japan. There are also several elaborate chapters on the earliest relations of England and Germany, and the reciprocal journeys of Edward III. to the Rhine, and of the Emperor Sigismund to the Thames. The most interesting parts of the book are the analysis of the Canterbury Tales, and of the biographies of Wycliffe, Duke Humphrey of Gloucester, and the Maid of Orleans. The latter personage is made much less romantic, and therefore much more truly heroic, than in the common accounts. The solitary shepherdess and dreamer under the hallowed oak is less poetic than the clear-minded, meek-hearted villager, who receives her heavenly commission at noonday, while walking in her father's garden.

There are constant allusions to Shakespeare's historical plays in the "Pictures of Old England," which would not serve ill as a commentary on them. We fear, however, that the copiousness of Dr. Pauli's erudition, as well as his constantly looking at England from his German stand-point, may lessen the influence of an otherwise masterly work.

5. — *The Romance of Natural History.* By P. H. Gosse, F. R. S. Boston: Gould and Lincoln. 1861. 12mo.

Gosse's name is a sufficient guaranty of the scientific merits of what he calls "an attempt to present natural history in this æsthetic fashion." He has arranged the latest and most curious discoveries in every department of Animate Nature under such extraordinary headings as Times and Seasons; Harmonies; Discrepancies; Multum è Parvo; The Vast; The Minute; The Memorable; The Recluse; The Wild; The Terrible; The Unknown; and The Great Unknown. This last chapter is an elaborate discussion of the Sea-Serpent question. Gosse inclines to the Enaliosaurian hypothesis. He gives a plate, showing that an Enaliosaur would present, when swimming at the surface of the ocean, where the head and long serpentine neck would be raised above the water, and the slender, lizard-like body, with its turtle's paddles, wholly submerged, exactly the appearance seen by the observers of the so-called Sea-Serpent.

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6. — *Ten Weeks in Japan.* By George Smith, D. D., Bishop of Victoria (Hongkong). London. 1861. 8vo.

The missionary Bishop seems to have made excellent use of the opportunities afforded by his high ecclesiastical station and his knowledge of Chinese customs, in his tour along the southern boundary of Japan from Nagasaki to Yeddo. He represents the people of Japan as but half civilized, and sadly given to intemperance and impurity. The power is at present in the hands of an aristocratical oligarchy, whose system of government consists mainly of the rigid exclusion of foreigners and a minute espionage of their own subjects. The climate as well as the insular position reminded the Bishop of his native country. The religion is Sinto-ism, a polytheism with a belief in a happy futurity, for which a life of joy in this world is thought the best preparation. Buddhism and Confucianism have however proved successful rivals of this system. The immediate prospects of Christianity do not appear encouraging. The circulation of the Bible is almost impossible, and so is any systematic preaching in Japanese. The missionaries must wait patiently for a higher civilization and a freer intercommunication. Dr. Smith attaches great importance to our diplomatic success with the Japanese, and an engraving of "the Japanese ambassadors at Washington" forms his frontispiece. He makes an earnest appeal to us in behalf of the forty-five thousand Chinese in California, who are incapacitated from giving evidence in any court of justice, and thus deprived, in great part, of the right of self-protection.

7. — *The Medical Missionary in China. A Narrative of Twenty Years' Experience.* By WILLIAM LOCKHART, F. R. C. S., F. R. G. S. 8vo. London: Hurst and Blackhurst.

THIS account of the attempt to conquer the prejudices of the Chinese against foreigners, by the benevolent ministrations of a hospital under the care of regularly educated physicians, is quite interesting, though full of technicalities and very ill arranged. It gives minute accounts of the skill of the Chinese in manufactures, and their ignorance of medicine. The latter seems incredible, when we read that a Celestial Humane Society knows no better way of resuscitating a drowned man than to lay a pot — such as is commonly used to boil rice in — over his abdomen, in the expectation that the emptiness of the pot will react upon the distention of the abdomen so that the water swallowed will be discharged at the nostrils. The details of Chinese cruelty and treachery are numerous and very painful. We regret to find that the American merchants are considered as equally responsible with the English for the evils of the opium trade. The hospital seems to have been very successful, both in freeing the natives from disease and in preparing them to receive Christianity; but we have strong doubts of the propriety of making attendance at the chapel a condition of relief at the dispensary.

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8. — *The Law of Nations considered as Independent Political Communities. — On the Rights and Duties of Nations in Time of Peace.* — By TRAVERS TWISS, D. C. L., Regius Professor of Civil Law in the University of Oxford, and one of her Majesty's Counsel. Oxford: At the University Press. 1861. 8vo. pp. xxiii. and 378.

THE earliest, and without doubt the ablest, systematic treatise on international law in the English language is the work of our distinguished countryman, the late Henry Wheaton. Since the publication of his "Elements," numerous works on the subject have appeared in England, among which are the esteemed writings of Phillimore, Manning, and others; and we have now before us the first part of a comprehensive treatise, apparently designed to be a text-book for instruction in the science, as well as an authoritative statement of the principles applicable to the various questions which may arise between nations. The portion now published is divided into twelve chapters, and relates exclusively to the sources of the law of nations, and to the rights and duties of independent states during a time of peace. In the first five chapters we have an inquiry into the characteristics of nations considered as the subjects of law, with a statement of the modifications of

national life, especially as exhibited in the complex state-systems of Christendom and in the dependencies of the Ottoman empire, together with a minute examination of the various sources to which the law of nations may be traced. The last seven chapters comprise an exposition of the rights of self-preservation, acquisition, possession, and jurisdiction, which are essential to every independent state, and of the rights of the sea, of legation, and of treaty which each state may likewise enjoy. In dealing with these topics, Mr. Twiss, as might have been anticipated, is a strenuous advocate of the opinions maintained by the English publicists and statesmen, though he endeavors, whenever it is possible, to fortify his positions by the authority of Continental and American writers. Like most Englishmen, he finds it utterly impossible to understand our institutions; and when he has occasion to treat of purely American questions, he commits very serious blunders. Thus he gravely asserts that the distinguishing feature of the Constitution of 1787, as compared with the Articles of Confederation, is "the consolidation of the executive power in the hands of a President." But if he had taken the trouble to compare the two instruments, he would very soon have perceived other and far more important differences between them; — that the Articles were entered into by the States acting as such, while the Constitution was ordained and established by the people, and derives none of its powers from the States; that under the one there was no authority for the establishment of a judiciary, while under the other a judicial department was expressly provided for; in a word, that while the one was merely a continuous league, the other created a government capable of exercising all the functions which appertain to the legislative, executive, and judicial departments under a republic. Again, he says that "the States of North America which compose the Federal Union are all Sovereign States." But if he had considered the subject a little more thoroughly, he would have seen that the States are nowhere recognized in the Constitution as "sovereign," that some of the most essential rights of sovereignty are expressly denied to them, and moreover that many of the powers vested in Congress and in the President are utterly irreconcilable with the idea of State sovereignty. It is also worthy of notice, that Mr. Twiss interpolates into his chapter on "National State-Systems of Christendom" an account of the so-called Southern Confederacy, which must have been written less than four months after the election of a provisional President, and in which he makes no reference whatever to the fact that this "Confederacy" has not been recognized by the government to which it stands in an attitude of rebellion, nor by any of the European powers. A writer who thus permits his personal wishes to influence his state-

ment of facts to the extent of suppressing all reference to the most important circumstances of a case under treatment, can scarcely be regarded as a trustworthy guide in respect to any controverted views; but the hostile spirit in which this part of Mr. Twiss's work is composed is only too characteristic of the temper with which English writers and speakers have dealt with the history of the rebellion. Readers on this side of the Atlantic will not, however, be much surprised at Mr. Twiss's haste to recognize the rebels as forming a "national state-system," nor at his designating Mr. Justice Marshall as "Lord Chief Justice," for a knowledge of American institutions is not among his qualifications for writing an authoritative treatise on international law. With this exception, his treatment of his subject presents nothing which demands our special notice.

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9. — *The Rebellion Record: a Diary of American Events, with Documents, Narratives, Illustrative Incidents, Poetry, etc.* Edited by FRANK MOORE, Author of "Diary of the American Revolution." With an Introductory Address on the Causes of the Struggle, and the Great Issues before the Country, by EDWARD EVERETT. First Volume. With Eleven Portraits on Steel, a Colored Map, and Various Diagrams. New York: G. P. Putnam. 1861. Royal 8vo. pp. x. and 750.

THE design of this compilation is a very admirable one, and if it is executed with fidelity, and with a just discrimination in the choice of the materials, the work will form an essential part of every American library. It is too early as yet to write the history of the rebellion; but it is not too early to gather up some record of the events by which its course is marked, and to collect the various official documents which are promulgated from time to time. The materials thus preserved will be of no little importance to the future historian, while they must for the present supply the place of a full and well-digested narrative of the transactions which are daily passing under our immediate notice, or of which we read in the newspapers. There is no one who does not often wish to consult some important document, or to refresh his memory as to some particular occurrence, and every person who has occasion to do this will be glad to have the paper or narrative which he wishes to examine readily accessible, and in some more convenient form than the columns of a daily journal. In carrying out his plan, the editor of the volume before us has divided his work into three parts of unequal length. The first part extends over a hundred and eight pages, and comprises a "Diary of Events" from December 17, 1860,

to June 18, 1861, inclusive; the second part covers four hundred and twenty-eight pages, and is composed of "Documents and Narratives" of various degrees of interest and importance; and the third part, which is devoted to "Poetry and Incidents," fills a hundred and fifty-two pages. Mr. Everett's masterly address on the origin and causes of the rebellion, perhaps the most powerful of all his public addresses, forms an appropriate introduction to the volume.

The task which Mr. Moore has assumed is by no means so easy as one might suppose; and we are glad, therefore, to say, that in the main it has been well executed. He has exhibited diligence and good judgment, and his book is likely to answer the purpose for which it is intended. It would not be difficult, indeed, to point out more than a score of errors, both of omission and commission, into which he has fallen. For instance, he has not printed in full the "Constitution" of the so-called Confederate States; nor has he given the opinion of Mr. Justice Taney in the case of John Merryman, though he has inserted a newspaper account of some of the proceedings in the case; while, on the other hand, he has overloaded each of his three parts with much trivial matter, scarcely possessing even a temporary interest. But while we regret these defects, which materially impair the worth of his compilation, we are too well aware of the difficulties which he must often have encountered, not to bestow hearty commendation on the design and execution of the work. His "Diary of Events" is sufficiently full and minute; he has preserved most of the important documents *in extenso;* and his third part includes, not only the spirited productions of our loyal poets, but also many of the songs of the rebels. The volume has a copious index, and is neatly printed. The portraits by which it is illustrated are well executed; but the maps and diagrams are neither so numerous nor so carefully drawn as they should have been.

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10. — *Cecil Dreeme.* By Theodore Winthrop. Boston: Ticknor and Fields. 1861. 12mo. pp. 360.

"Cecil Dreeme" claims our notice, both on account of its merit as a work of fiction, and on account of the early and lamented death of its author. No one, indeed, can read the volume without feeling an additional regret at the loss which American literature, as well as the cause of organized government, experienced by the death of Major Winthrop; and this regret will be strengthened by the touching and beautiful memoir prefixed to the tale. In this memoir Winthrop's friend and neighbor, Mr. George W. Curtis, has gracefully sketched the leading inci-

dents of his short life, and has painted his character with consummate skill. Of Winthrop's early life we are told but little; but this little shows him to have been a person of wide and various culture, and of strong convictions. When the rebellion broke out, he did not hesitate for a moment between two opinions, but immediately joined one of the first regiments that hastened to the defence of the government. Shortly afterward he accepted an appointment on the military staff of Major-General Butler, and accompanied that officer to Fortress Monroe. In this capacity he gained the affection of every one with whom he was brought in contact, and a useful and brilliant career seemed to be opening before him; but the hopes of his friends and his own aspirations were disappointed by his early death on the battle-field, in the unfortunate expedition against Great Bethel, before he was thirty-three years old. Among the manuscripts left by him were several short stories, and some more elaborate works, including the novel under notice.

"Cecil Dreeme" is to be regarded as a study, rather than as a perfected work of art, and is chiefly remarkable for its wonderful promise. No one can read it without feeling that its author was no common man, and that, if his life had been spared to prosecute his literary labors, he would have risen to a foremost place in this department of letters. His style is singularly condensed and animated, and his short, crisp sentences everywhere exhibit the hand of a master in the art of prose composition. His descriptions, though often conveyed in the fewest words possible, are so vivid and exact, that no one who has ever seen the places where the plot is laid, can fail to recognize them. His characters are drawn with a steady hand, and are always lifelike; and we know few personages in fictitious literature more powerfully delineated than Densdeth, whose malign influence overshadows the whole story. The plot is carefully elaborated, and its issue is admirably concealed to the very end. At the same time there are a few artistic defects, which show that Winthrop had not quite reached the perfection of his art. These defects he would doubtless have avoided with longer practice, as they are precisely such as we might expect to find in the works of any writer before he had learned how to husband his resources.

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11. — *Songs in Many Keys.* By Oliver Wendell Holmes. Boston: Ticknor and Fields. 1862. 16mo. pp. 308.

Dr. Holmes's Muse has not been idle during the thirteen or fourteen years which have elapsed since the publication of the second collected edition of his poems; and in the volume before us we have the gathered fruits of this period. The longest poem in the collection is a

simple and charming ballad, founded on certain incidents in the life of Sir Harry Frankland, whose mansion at Hopkinton, in this State, was standing a few years ago, almost a solitary memorial of his residence in America. This poem is marked by great tenderness and beauty, and shows how admirably Dr. Holmes might have succeeded if he had attempted a still more elaborate version of the story. The rest of the volume is made up of miscellaneous poems written between 1849 and 1861, and composed in "many keys." As a whole, they exhibit the same characteristics as his earlier poems, and among them are some of the best productions of his versatile pen, such as "The Deacon's Masterpiece," "The Chambered Nautilus," "Latter-Day Warnings," and his various Class Songs. In nearly all we find the same brilliant wit, the same genial humor, or the same tender pathos, set in the same easy and graceful versification, which gave so wide a popularity to the earlier collection. No humorous poet, if we except Thomas Hood, has known so well how to unite the keenest wit with the deepest pathos; and it is a chief merit both of his earlier and his later poems that, while he has a power of satire which few writers in our language have surpassed, he has never made it an instrument of personal or party spite. So far as we remember, there is not an ill-natured line in either volume, not even in those pieces in which the writer most strongly ridicules some fashionable folly, or exposes some new form of pretentious ignorance. A sterling good-sense and a kindly temper are at the very root of his character as a poet, but with them are united a delicacy of fancy and a skill of versification which are rarely found in poets of this class. His later poems, in general, have a less exuberant mirthfulness than was seen in his earlier productions; but they show a steady growth in poetical power. His "Army Hymn," and indeed most of the pieces inspired by the events of the last year, will take rank with the best productions of the kind in the English language.

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12. — *Tales of a Grandfather. History of Scotland.* By Sir Walter Scott, Bart. With Notes. Boston: Ticknor and Fields. 1861. 6 vols. 16mo.

Few men of letters have achieved a high reputation in so many different departments of literary endeavor as Sir Walter Scott. He would have been universally recognized as a great poet, if the fame which he acquired by "Marmion" and "The Lady of the Lake" had not been eclipsed by his subsequent triumphs as a novelist; and if we except his "Life of Napoleon," which is utterly unworthy of his powers,

a high rank must also be assigned to his historical and critical writings. His "Tales of a Grandfather" show at once his large acquaintance with the history of Scotland and England, and his rare skill in reproducing a lifelike picture of the men and events of a former generation. They belong, indeed, to the least brilliant period of his literary career, — to those busy years when he was struggling manfully with adverse fortune, and laboring with sleepless activity to throw off the heavy load of debt by which he was borne down; but they have few or no marks of powers overtasked, or of a disappointed ambition. In a simple and luminous narrative, always picturesque and often eloquent, the great novelist retraced for a beloved grandson, one of Lockhart's children, the history of Scotland, from its remote beginning among half-barbarous tribes down to the final overthrow of the Stuarts by the suppression of the rebellion of 1745, and in more than one sense the task seems to have been a labor of love. In respect to some points, his views are open to criticism, and his political prejudices are not always under sufficient control; but in the main his task was performed in a very satisfactory manner, and as a condensed summary of Scotch history the "Tales" may be read with profit, not only by the class of persons to whom they are specially addressed, but also by persons of mature years. No better or more beautiful edition of them has been published than that now before us. On the completion of these volumes Sir Walter wrote two volumes illustrative of the History of France, which we presume will be reprinted hereafter.

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13. — *The Armies of Europe: comprising Descriptions in Detail of the Military Systems of England, France, Russia, Prussia, Austria, and Sardinia, adapting their Advantages to all Arms of the United States Service: and embodying the Report of Observations in Europe during the Crimean War, as Military Commissioner from the United States Government, in* 1855 – 56. By GEO. B. McCLELLAN, Major-General U. S. Army. Originally published under the Direction of the War Department, by Order of Congress. Illustrated with several hundred Engravings. Philadelphia: J. B. Lippincott & Co. 1861. 8vo. pp. 499.

IN 1855 – 56, General McClellan served as a junior member of the military commission sent from the United States for observation of the course of the Crimean war, and for the procuring of such information as might be embodied in the better organization of our own military forces. The contents of the volume now in our hands first appeared,

as we learn, in an official report, published, or rather not in any suitable form or available sense published, as a government document. The author was then known among those of his own profession as a young officer of brilliant promise; but his name had not become the property of the nation. With the prestige of his present position, he can, of course, command a much larger public than before; and his publishers have judged wisely for the country, no less than for their own interest, in presenting this work in a form so beautiful and attractive. It is entirely professional in its character, and we have neither the space nor the ability to enter into its details; but we can judge of its thoroughness, of its scientific precision, and of its adaptation to practical use. There is manifestly no department of service, equipment, administration, or duty, which the author did not comprehend in his survey, and none which has not passed under the test of his own skilled eye and careful judgment. In fine, this publication cannot but answer, at the present juncture, two equally important purposes, that of furnishing a manual of instruction for officers of the higher grades, and that of conciliating more fully the confidence of enlightened and cultivated men in the commander on whom, under Providence, our national future so essentially depends.

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14.— *The Constitution of the United States. For the Use of Schools and Academies.* By GEO. S. WILLIAMS, A. M. Cambridge: Welch, Bigelow & Co. 1861. 12mo. pp. 199.

THE apparatus for studying our Constitution has improved more rapidly since the integrity of the Union was threatened than at any preceding period. Nor do we suppose this a fortuitous fact. We doubt not that treachery and revolt have stimulated loyalty; that there is a profounder sense than ever before of the need of elementary political training, and that the demand for text-books in this department is on the increase. The book named above consists chiefly of a catechism of the Constitution. It is especially adapted to the use of common schools, and is well suited to the youngest classes of pupils that can be made the subjects of such instruction. This we regard as the principal ground on which it should secure from a certain class of teachers preference over the several other equally good manuals that have passed under our review. When we say that it is issued from the press to which we are indebted for our quarterly issues, we give ample assurance that in its typographical character it is free from the defects which often annoy us in school-books, is accurately printed, and finished, though in a cheap form, with perfect neatness and good taste.

15. — *The Cotton Kingdom: a Traveller's Observations on Cotton and Slavery in the American States. Based upon Three former Volumes of Journeys and Investigations by the same Author.* By FREDERICK LAW OLMSTED. In Two Volumes. New York: Mason Brothers. 1861. 16mo. pp. 376, 404.

WE have on previous occasions expressed our high sense of the worth of Mr. Olmsted's investigations. They are valuable, because they give us, not estimates or conjectures, but detailed facts; because they are directed mainly to the elucidation of one point, namely, the superiority of free to slave labor on economical grounds; and because the author evidently undertook his journeys not in order to verify previously formed opinions, but to collect materials for forming his opinions. Whatever praise we have bestowed on the previous volumes belongs more emphatically to these two; for they enable the reader with a much smaller expense of time, not only to acquaint himself with Mr. Olmsted's generalizations, results, and conclusions, but to examine specimens of each class of observations, and of every kind of evidence from which he drew his inferences.

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16. — *National Hymns, how they are written, and how they are not written. A Lyric and National Study for the Times. With a Letter to the Saturday Review.* By RICHARD GRANT WHITE. New York: Rudd and Carleton. 1861. 12mo. pp. 176.

THE result of the recent attempt to procure a national hymn might have been written when the prize was offered with as entire certainty as after the last session of the committee of award. Neither verses nor music for such a hymn can be composed as a piece of task-work, or for the hope of gain or fame; and, even were interested motives wholly wanting, it is impossible that the ordeal of microscopic criticism through which the piece was to pass should not "cast a shadow before" dense enough to befog the sense of patriotism and the soul of harmony. National hymns and airs must be adopted, not made to order. From the competition, when instituted, true poets will hang back, unless poverty-stricken, and if sheer want drives them to it, it will be as to mere hand-work without heart or soul. It is admitted that no work of this kind has ever been the product of set purpose and elaboration for that express end. "God save the King" was at least a century in growing, and it is by no means certain that its germ was not a song of loyalty to the last of the Stuarts; while the melody has undergone great changes, and its authorship in its earliest form is a matter of controversy. The

Marseillaise was written in a glow, for a specific and stirring occasion, with no view to its extended or enduring use. By its own intrinsic might it worked its way from its native Strasbourg to Marseilles, from Marseilles to Paris, from Paris through the whole land and to the ends of the earth. As to our own national lyrics, "The Star-Spangled Banner," which has not yet its equal, was written on the back of an old letter, under the stress of intense feeling, on the author's seeing our flag still flying on Fort McHenry after a night's bombardment which he had watched with intense solicitude. The song of Yankee Doodle neither has nor merits an authentic history; while the tune has hardly fewer reputed birthplaces than Homer had, and antiquaries are divided between the theory of its indigenous origin, its adaptation from an old English nursery rhyme, and its importation from Holland, to say nothing of the real or pretended identification of it by Kossuth as an ancient Hungarian air. The prize and the competitors for it have furnished Mr. White an occasion for writing a not unamusing, yet utterly needless book, in which, besides divers things well said about national hymns, he gives us a narrative of the proceedings of the committee, and specimens of the best and the worst of the twelve hundred pieces submitted to their adjudication.

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17. — *Memoir of* THOMAS FOWELL BUXTON: *embracing a Historical Sketch of Emancipation in the West Indies, and of the Niger Expedition for the Suppression of the Slave Trade.* By MARY A. COLLIER. Boston: American Tract Society. 1861. 16mo. pp. 290.

WE are glad to recognize the timeliness that marks the operations of the Boston publishing agency of the American Tract Society. From our list of new publications for the present and the last quarter, it will be seen that the wants and needs of the army have been amply provided for, and as appropriately as amply. It is no doubt with reference to the forcing of fundamental questions about slavery upon the nation faster than we feel ready to meet them, that this Memoir of Buxton has now been published. It is much abridged from the biography prepared by his son, but is still sufficiently full, both in its details of Buxton's private character and its narrative of the great events in which he was the prime mover. The materials are selected with care and good judgment, and the style is easy and elegant. We would gladly, if we could, draw courage for our own future from the safety of emancipation in the British colonies; but we cannot argue from what took place in a time of peace, and with every possible safeguard for

the public tranquillity, to what might occur in a season of tumult and violence. Emancipation may on either side be made the last resort as a war-measure; but we hope not. Much as we abhor slavery, we deprecate for both parties its termination from any other than philanthropic motives and measures, and this termination — already made sure — is now reduced to a mere question of time.

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18. — *The Last Political Writings of* Gen. Nathaniel Lyon, U. S. A., *with a Sketch of his Life and Military Services.* New York: Rudd and Carleton. 1861. 12mo. pp. 275.

This book has very much the air of having been made on speculation. We thank the anonymous author of the Memoir, whose materials were scanty, but who has done his best to commemorate the integrity and probity, loyalty and courage, of one of those young patriot martyrs whose blood has renewed the life-blood of the nation. But considerably more than half of the volume is occupied by a series of newspaper articles written in furtherance of the election of the present President of the United States, worthily instrumental in advancing that end, yet not endowed with any of the characteristics which would have made the writer willing to put them into a permanent form, and to identify his posthumous reputation with them. The volume closes with two elegiac poems, the first of perhaps a little more than the average merit of "machine-made" poetry, the other a mere burlesque of the sentiments it honestly meant to express.

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19. — *Memorial Volume of the First Fifty Years of the American Board of Commissioners for Foreign Missions.* Boston. 1861. 8vo. pp. 448.

Intending to review this volume in our next number, we would now barely announce its appearance and indicate its contents. In 1860, the Board of Commissioners for Foreign Missions completed its first half-century. The occasion was commemorated by suitable religious exercises, and appropriate discourses and addresses. The narrative of this meeting, with such of its exercises as were furnished for publication, fills the first forty pages of the "Memorial Volume." The residue is devoted to a history of the Board and of its Missions, with an Appendix of valuable documents, lists, and statistics. The work has been prepared by Rev. Dr. Anderson, whose connection with the Board for nearly forty years has been among the most worthy subjects of gratitude connected with its history.

20. — *Lessons in Life. A Series of Familiar Essays.* By TIMOTHY TITCOMB, Author of "Letters to the Young," "Gold-Foil," etc. New York: Charles Scribner. 1861. 12mo. pp. 344.

WE have too long neglected Dr. Holland, or rather we have let his books — such of them as have come into our hands — pass with brief notice, without attempting to define his place and express his value as an important and influential integer in American literature. We now have in our drawer, and hope to take from it for our next number, a review of his works collectively. Meanwhile, we would commend this new volume, as rich both in wit and in wisdom. The author is capable of the keenest sarcasm; but words else like "drawn swords" are tempered by the genuine kindliness of his purpose and the warmth of his humane sympathies.

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21. — *A Memorial of Closing Scenes in the Life of* REV. GEORGE B. LITTLE. Cambridge. 1861. 8vo. pp. 171.

MR. LITTLE was a native of Castine, Maine, a graduate of Bowdoin College, an alumnus of the Andover Theological Seminary, pastor of the First Congregational Church in Bangor for eight years, and for the last two or three years of his life pastor of a church at West Newton. Early in 1860, having been previously in feeble health, he was seized with hemorrhage from the lungs. Slightly, or hardly, convalescent, he was induced in the ensuing March to seek renewed health by a sea voyage and a residence in France. The change of air and scene did not even arrest his rapid decline. His homeward voyage was attended with severe suffering, and on his arrival it was apparent to him and to every one else that his days were numbered. He died on the 20th of July, 1860, in the thirty-ninth year of his age. In the fragmentary sketches that make up this volume, he incidentally appears as a man of superior taste and culture; the little that we learn of him as a minister betokens the best gifts both for the public and the private duties of his office; and in all the relations in which we are permitted to view him he impresses us as blending to an unusual degree the stronger and the gentler elements of the Christian character. But of all this we have only hints and glimpses. The interest of the book centres upon the last scenes of his life. And they were wonderfully rich and full in their perpetual expression of faith and trust. Circumstances were so ordered as at once to test to the utmost, and to exhibit in their most beautiful and attractive forms, the traits of his religious character. From the moment of his first attack, he distinctly foresaw the fatal result, and we

perceive in his recorded words no proof that he at any time expected restoration, so that he was destitute of that peculiar type of hopefulness which almost always accompanies pulmonary consumption, and which often makes it impossible to arouse to a sense of peril one already within the shadow of death. His mental powers were unimpaired almost to the last, and during the closing weeks we discern even traces of unwonted brilliancy of thought and utterance. What we have then, in this "Memorial," is the narrative, recorded daily by loving friends, of a six months' Christian experience during a conscious passage graveward and heavenward,—in fine, the prolonged and diversified exhibition of what is ordinarily witnessed only for a brief space on the near approach of the Christian's death-hour. Such a record is of itself adequate evidence of the Divine origin and the almightiness of Christianity. Such scenes are more than argument; they are manifestation; they are the uplifting of the veil. We can no more doubt the eternal life which breathes all along through the protracted death in life of the disciple whose image is now placed before us, than we can doubt the dates and external facts of his biography. And were all other testimonies wanting, had not history or analogy a word in behalf of Christianity, we would bow down before it as the power and wisdom of God, because death owns its majesty, the destroying angel retires baffled from the conflict with it, and the shout of its triumph drowns the dirge-notes that come up from the caverns of the grave.

This book, from the Riverside press, appears in a form of great beauty, and is enriched by a lifelike photograph of Mr. Little. We understand that it was printed for private circulation. We sincerely hope that it will be published in such guise as may make it a means of widely extended edification and usefulness.

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22.—*A Translation of the Syriac Peshito Version of the Psalms of David; with Notes Critical and Explanatory.* By the Rev. Andrew Oliver, M. A. Boston: E. P. Dutton & Co. 1861. 16mo. pp. 331.

We cannot read the Peshito, and therefore will not undertake to criticise Mr. Oliver's translation of it. But from the style of his notes, from his evident mastery of the Hebrew, and his skilful handling of the Septuagint, we infer the thoroughness and accuracy of his scholarship. We attach a very high importance to the Peshito version of the Old Testament; first, on account of its absolute antiquity, as corresponding to the received Hebrew text in the first or second century of our era; secondly, on account of its relative antiquity in comparison with that of

the Hebrew points, as enabling us often to correct the Masoretic pointing; and thirdly, on account of its exegetical value as sometimes fixing the else doubtful sense of an obscure or infrequent Hebrew word. Mr. Oliver has made the results of his study of the Syriac Psalter as fully available as they can be made to those not conversant with the Syriac. We wish that he might find encouragement to extend his labors to other portions of the Hebrew Scriptures.

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23. — *Commentary on the Epistles to the Seven Churches in Asia. Revelations* ii., iii. By RICHARD CHENEVIX TRENCH, D. D., Dean of Westminster. New York: Charles Scribner. 1861. 12mo. pp. 312.

TRENCH, in his exegetical writings, so blends the offices of interpreter and preacher, that it is not always easy to know in which sense to take him. He is so intent on the multitude of lessons that may be drawn from any given word, clause, or sentence, that he not unfrequently fails to designate the particular sense intended by the writer. But he is always entertaining and instructive. His is one of those rich minds, which cannot enter into communion with other minds without enriching them. No matter what his professed subject is, it will be found either to contain or to suggest materials for which his reader will thank him. The book named above is to be prized on precisely this ground. As a monograph in the department of Biblical criticism, it is of mixed merit and secondary value; as investing the second and third chapters of the Apocalypse with a new and profounder interest, worth, and depth of significance, and this especially to the scholar and thinker on the same intellectual plane with the author, it can hardly be praised to excess.

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24. — *Historical Lectures on the Life of our Lord Jesus Christ, being the Hulsean Lectures for the Year* 1859. *With Notes, Critical, Historical, and Explanatory.* By C. J. ELLICOTT, B. D., Professor of Divinity, King's College, London; late Fellow of St. John's College, Cambridge; Author of Critical and Grammatical Commentaries on St. Paul's Epistles. Boston: Gould and Lincoln. 1862. 12mo. pp. 382.

THESE Lectures are an epitome of the Gospel history prepared with the view of illustrating the distinctive characteristics of the separate narratives, their essential harmony, and their mutual confirmation, and rebutting the cavils of neological and sceptical criticism against the

supernatural element which pervades them all. The text of the Lectures embodies the results of patient and reverent inquiry, which are amply, ably, and learnedly vindicated in the copious foot-notes. The entire work is a harmonizing of the reputedly opposite polarities of free thought and devout faith, of a generous liberalism and an equally generous conservatism. A richer array of Christian scholarship our age has not witnessed, nor yet a more timely or precious contribution to the defence of Christian verities.

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25. — *The Boston Review, devoted to Theology and Literature.* Volume I. [Nos. 1 – 6.] Boston: John M. Whittemore & Co. 1861. 12mo. pp. 616.

This Review is understood to be the organ of the conservative party among the Trinitarian Congregationalists. Its theological character is free from all ambiguity. It deals unsparingly with all derelictions from the faith, order, and discipline of the fathers. Its contributors are thoroughly armed for defence and for assault; and in the assault their blades have a keen edge. At the same time, their warfare is fair, open, courteous, — that of principle, and not of personality. We know not how strong in numbers that portion of the Congregational body may be, but we know that it is strong in intellect, culture, and worth, and we are glad that it is now adequately represented among our periodicals. This journal, however, by no means confines itself to theology, still less to polemics, and its purely literary articles are rich, racy, and attractive. We doubt whether any American periodical has ever presented a better first volume, that is, one more entirely level with its own aims, professions, and standard.

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26. — ספר תהלים *The Book of Psalms, in Hebrew and English, arranged in Parallelism.* Andover: Warren F. Draper. 1862. 16mo. pp. 194.

Hahn's Hebrew text, which is undoubtedly the best, is used in this edition, and the common English version, printed in parallel columns with the Hebrew, is so arranged as to correspond, clause for clause, with the structure of the Hebrew verse. The volume is beautifully printed, of convenient size for use, and of admirable adaptation to the service of those whose Hebrew has become a dim reminiscence. A similar edition of the whole Old Testament would be a most welcome aid to the many who deem it their duty, but find it an arduous and unsatisfying task, to consult the original.

27. — *Woman's Rights under the Law. In Three Lectures, delivered in Boston, January,* 1861. By CAROLINE H. DALL, Author of "Woman's Right to Labor," "Historical Pictures Retouched," &c., &c. Boston: Walker, Wise, & Co. 1861. 16mo. pp. 164.

THESE Lectures are entitled, respectively, "The Oriental Estimate and the French Law," "The English Common Law," and "The United States Law, and Some Thoughts on Human Rights." They are chiefly historical, and the writer's aim is to illustrate the civil disabilities and privations to which woman has been subject in time past, to show how little the improved legislation of the present day has done for her, and to appeal to the general conscience in behalf of her entire emancipation from pupilage and bondage. The book will be read by the friends, and ought to be read by the opposers, of the cause of which Mrs. Dall is a foremost advocate; for it consists mainly of facts, that is, of statutes, decisions, and legal *dicta*, which are quoted in their very words, and with references to the authorities whence they are taken. We are not among those who desire to see women on the bench, in the senate, or at the hustings; yet we contend that their plea should not be dismissed unheard. With reference to property, the English common law certainly produces many hard cases for the wife; but the entire separation as to pecuniary interests between husband and wife, we can easily conceive, might lead to much greater mischief in marring the harmony of families, and introducing potent elements of strife into the household. This, however, must be admitted: — Legislation might in many cases interpose for the protection of wives, either by express statute, (as has already been done in many of the States of our Union,) or by investing the proper tribunals with an extensive equity jurisdiction, by which we mean, not equity in the technical sense, but the power of doing right where the letter of the law would do wrong. At any rate, the subject merits careful consideration, and we commend Mrs. Dall's book as an able and thorough statement of the case on one side, which claims respectful heed, and by no means merits being dismissed with a sneer.

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28. — *First Principles of Ethics. Designed as a Basis for Instruction in Ethical Science in Schools and Colleges.* By J. T. CHAMPLIN, President of Waterville College. Boston: Crosby, Nichols, Lee, & Co. 1861. 12mo. pp. 204.

WE took this book in hand, expecting that it would meet our approval, but without the thought that it was other than an addition to the number of what the author calls "the many excellent treatises on

that subject already in existence." We find, however, that it stands by itself, as to what it omits, as to the singleness of its aim, and as to the severe, yet never obscure, conciseness of its statements and arguments. Most treatises on moral philosophy combine the abstract and the concrete, principles and their application, the science and the art of virtue. But particular forms of duty or modes of conduct are not subjects for scientific treatment. The same principle may have two opposite practical expressions, according as more or fewer of the variable elements in the condition of humanity are taken into the account. Then, too, a narrow, one-sided, or false application of a principle, especially if it be dogmatically stated, and if strong stress be laid upon it, may react in producing scepticism or repugnancy toward the principle itself. Dr. Champlin confines himself to the *science* of morals. He agrees with Price and with the author of "Intuitive Morals" in seeking the basis of right and the ground of obligation "in the nature of things." He regards conscience as the faculty which infallibly perceives the right, its errors not being errors of judgment, but resulting from its limited cognizance of the materials for a sound judgment. He deduces the freedom of the will from the conscious capacity of action. In these and their cognate principles, with the strictly scientific inferences that flow from them, he comprehends the entire science of morals, of which he gives in a "Supplement" a compendious history. The arrangement is simple and lucid; the style equally so. It is precisely the book needed for our high schools, and for an introductory text-book in our colleges. We wish that the author would follow it by a more extended work, comprising the analysis and scientific criticism of the systems barely mentioned in his Supplement. We know of no existing treatise with which, with a method corresponding to that of the book before us, he might not compete on advantageous ground.

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29. — *Vermont Quarterly Gazetteer. A Historical Magazine, embracing a Digest of the History of each Town, Civil, Educational, Religious, Geological, and Literary.* Edited by Abby Maria Hemenway, compiler of "The Poets and Poetry of Vermont." No. I. July 4, 1860. *Addison County.* — No. II. October, 1861. *Bennington County.* Ludlow. 8vo. pp. 254.

The plan on which this work is begun will insure a series of local histories of Vermont, of peculiar minuteness, fidelity, and interest. Each number is to contain the history of the towns in a single county. Each town history is written by some person familiar with the geography, institutions, traditions, and present condition of the town. The widest

scope is given to the home-love of the writer. The fathers and mothers of the village are commemorated, the illustrious and the sub-lustrous natives who have gone from it, the odd characters, nay, the very idiots, who made their mark and left their name. The hardships of the first settlers, the local strifes, the crimes that have disturbed the peace of each little community, the details of educational and ecclesiastical history, are faithfully recorded. Specimens of literary composition are given in great abundance, many of them of superior merit, others regarded with fondness in their birthplace, and precious as memorials of authors who were worthily cherished by their kindred and neighbors, others illustrative of events and personages. It may seem strange that such copious materials could be collected in two pamphlets together numbering fewer pages than we have already filled in our present issue. But the pages are not like ours. They are closely printed, in double columns, on a large sheet, with a scanty margin; and each of these numbers might be easily made into a ponderous volume. The plan seems to us admirably devised, and thus far it has been executed with ability and thoroughness.

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30. — *Memoir of the Honorable Nathan Appleton, LL. D. Prepared agreeably to a Resolution of the Massachusetts Historical Society.* By ROBERT C. WINTHROP. With an Introduction and Appendix. Boston. 1861. 8vo. pp. 79.

MR. APPLETON was born in New Ipswich, New Hampshire, October 6, 1779, and died in Boston, July 14, 1861. Prepared for admission to Dartmouth College, he passed his examination successfully, and then went to Boston as clerk to an older brother, who had removed thither from his native place. In due time he became a leading merchant in his adopted city, and was for the residue of his life honorably identified with its public, social, literary, and philanthropic interests. As a member of the State and national legislatures, he was distinguished for his wisdom in financial and mercantile affairs, for his thorough investigation of the questions which came under his cognizance in committee, or which he discussed on the floor of the House, and for an integrity of aim and purpose from which no personal, sectional, or party interest could make him swerve. As a writer on political subjects, on finance, on manufactures, and in one instance on controverted theological doctrines, he was remarkable for conciseness and precision of style, large comprehension of facts, close consecutiveness of reasoning, and perfect evenness of temper. He rendered important services to the country as one of the pioneers in instituting our New

England system of manufactures. He was profusely, yet wisely generous in his charities, acquitting himself as the trustee of his large wealth for benevolent uses. In all the relations of life, in every aspect of his private character, in his ample success and prosperity, in heavy domestic sorrows, in the great grief that darkened his closing days, he manifested the faith, and trust, and hallowing power of mature Christian piety. Mr. Winthrop's Memoir is composed largely from autobiographical memoranda, compiled and supplemented with a taste and skill and loving reverence that constitute a most appropriate memorial of a greatly good man.

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31. — *Religio Medici, A Letter to a Friend, Christian Morals, Urn-Burial, and other Papers.* By SIR THOMAS BROWNE, Kt., M. D. Boston: Ticknor and Fields. 1862. 16mo. pp. xviii., 432.

SIR THOMAS BROWNE holds unchallenged a foremost place among *born* authors, that is, among the men who write not for an express purpose, or for the treatment of specific subjects, but because they have minds full to overflowing, and a social, loving nature which must needs find vent in free communication with kindred minds. With such writers, it makes not the slightest difference what the nominal subject is, or rather, the less there is in a subject, the more full and free and intimate are their self-revelations. Browne has a *naïveté* equal to Montaigne's; but, unlike the Frenchman's, his is an interior consciousness which he never need blush to betray. His culture, too, was as large and generous as his nature. In physical science, indeed, he enunciates not a few absurdities and falsities, with the air of a man of omnivorous credulity; but it must be remembered that the inductive philosophy was then in its infancy, and that England fell into the rear of Continental Europe in the application of the new method to the study of nature. But with much in this department of knowledge that is absolutely anile, our author unites a large conversance with books, and especially with the curiosities of literature, both ancient and modern, a keen insight into human character, dialectic skill of no mean order, and a shrewd practical philosophy.

The only complete edition of Sir Thomas Browne with which we are acquainted is the beautiful Aldine edition, in four octavo volumes, edited by Wilkin. In this there is a good deal of material that is more curious than edifying. Dr. Young, of this city, devoted to Browne one volume of his "Library of Old English Prose-Writers," and in this form alone, till now, as we believe, have any of his works been issued from the American press. We rejoice to announce with the new year

the appearance of the beautiful volume named at the head of this notice. It has been edited by the junior partner of the publishing firm, with his well-known skill, taste, and fidelity. It comes from the University Press, and is perhaps its master-work as a specimen of typography. We have seen no more handsomely printed American book. It has a somewhat antique and quaint aspect, admirably corresponding with its contents. The title-page type, the initial letters, and the ornamental work in general, — specially designed for this volume, and not merely copied from English books, — are of very great beauty, and are at the same time in admirable keeping with the mechanical style of the text, and equally so with its pervading tone of thought and sentiment.

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32. — *Record of an Obscure Man.* Boston: Ticknor and Fields. 1861. 16mo. pp. 216.

In this book we have a series of disquisitions concerning the African race in their native continent and our own, incorporated with a story so life-like in its details that we could almost think it true, were it not that well-wrought fiction is always less abnormal and more truth-like than fact. The only fault that we can find with the book is, that both its aims are too perfectly attained for either to seem subsidiary to the other, so that we carry through its perusal a divided interest, and make our transitions reluctantly. The story is so exquisitely told, with such tender pathos, with such delicate characterization, with so many painfully attractive incidents and experiences, that we do not like to suspend it for matter of even the gravest interest. On the other hand, the disquisitions manifest so careful study, so comprehensive a grasp of the subject, a philosophy so sound, a philanthropy so true, yet so wise, that they have no need of an artificial setting, but claim to be framed and rounded into a continuous treatise.

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33. — *Spectacles for Little Eyes.* Boston: Walker, Wise, & Co. 1862. 16mo. pp. 198.

This is a description of Boston and its environs, framed in a story, with numerous and well-executed cuts, and designed and adapted for the instruction of children. The selection of subjects is happily made, and the execution indicates an author familiar with juvenile needs and tastes, and capable of making the acquisition of knowledge a pleasant pastime. We would say emphatically that the *imprimatur* of Walker, Wise, & Co. upon a book for young readers is a guaranty of its purity of taste, its high moral character, and its substantial usefulness.

34. — *Method of Classical Study. Illustrated by Questions on a few Selections from Latin and Greek Authors.* By SAMUEL H. TAYLOR, LL. D., Principal of Phillips Academy, Andover, Mass. Boston: Brown and Taggard. 1861. 12mo. pp. 154.

THIS work is designed to furnish specimens of the kinds and scope of questions that may be asked of the pupil on his lessons in Latin and Greek. Dr. Taylor has selected for this purpose a few brief passages, from the study of any one of which, in his method, the student would derive more knowledge of the language in which it is written than from an entire book in the too common method of study. Such an exhausting analysis we have never before seen. The method is one with which every classical teacher should make himself conversant.

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35. — *Montrose, and other Biographical Sketches.* Boston: Soule and Williams. 1861. 12mo. pp. 400.

THIS volume contains sketches of the lives of La Tour, George Brummell, Samuel Johnson, and James Graham, Marquis of Montrose, all except the third sufficiently full in detail to be termed Memoirs. By whom they were written, or whether either of the last three had ever appeared before, we have no intimation. They are well written, and the first and fourth display very extensive and careful historical research.

## NEW PUBLICATIONS RECEIVED.

The "Things which are not": God's chosen Instruments for advancing His Kingdom. A Sermon preached at Cleveland, Ohio, October 1, 1861, before the American Board of Commissioners for Foreign Missions, at their Fifty-Second Annual Meeting. By Richard S. Storrs, Jr., D. D., of Brooklyn, New York. New York. 1861.

A Year of Church-Work. An Anniversary Sermon for Emmanuel Church, Seventeenth Sunday after Trinity, September 22, 1861. By Frederic D. Huntington, D. D., Rector. Boston: E. P. Dutton & Co. 1861.

A Discourse on the Wickedness and Folly of the Present War. Delivered in the Court-House at Ottawa, Ill., on Sabbath, Aug. 11, 1861. By Geo. W. Bassett, Author of "A Northern Plea for the Right of Secession." Ottawa. 1861.

Union and Peace! How they shall be restored. Speech of Hon. Charles Sumner, before the Republican State Convention, October 1, 1861. Boston. 1861.

Address at the Dedication of a Monument to Rev. W. B. O. Peabody, D. D. Delivered at Springfield, September 29, 1861, by George Walker. Together with a Hymn for the Occasion, by J. G. Holland. Springfield. 1861.

Some of the Mistakes of Educated Men. The Biennial Address before the Phrenakosmian Society of Pennsylvania College, Gettysburg, Pa. By John S. Hart, LL. D. Delivered September 18, 1861. Philadelphia. 1861.

A Poem pronounced before the Phi Beta Kappa Society of Yale College. By Champion Bissell. July 24, 1861. New Haven. 1861.

The Position of our Species in the Path of its Destiny; or, The Comparative Infancy of Man and of the Earth as his Home. New York: Charles Scribner. 1861.

Army Series. No. 1. The Man and the Soldier. By George Putnam, D. D. — No. 2. The Soldier of the Good Cause. By Charles Eliot Norton. — No. 3. The Home to the Camp: Addressed to the Soldiers of the Union. By J. F. W. Ware. Boston: American Unitarian Association. 1861.

An Appeal to the Disciples of Christ of every Denomination in Reference to the Approaching Day of Prayer. By Rev. Francis Wayland, D. D. Boston: American Tract Society. 1861.

The Soldier's Pocket-Bible. First printed in 1643, for the Use of the Soldiers of the Time of Oliver Cromwell. Boston: American Tract Society. 1861.

The Soldier's Pocket-Bible. Issued for the Use of the Army of Oliver Cromwell. New York: American Tract Society. 1861.

The Soldier's Pocket-Bible. Issued for the Use of the Army. By Oliver Cromwell, A. D. 1643. New York: American Tract Society. 1861.

Hymns, Religious and Patriotic, for the Soldier and the Sailor. Boston: American Tract Society. 1861.

The Little Captain. A Temperance Tale. Boston: American Tract Society. 1861. 16mo. pp. 131.

Will You Enlist? or, The Soldier out of Uniform. Boston: American Tract Society. 1861.

Religion in the Army: its Value as contributing to Success. By Rev. W. W. Patton, Pastor of the First Congregational Church, Chicago, Ill. Boston: American Tract Society. 1861.

Little Julia: a Memorial of Julia Breath, of Oroomiah, Persia, who died at the Age of Five Years. By her Mother. Boston: American Tract Society. 1861.

Manual of Internal Rules and Regulations for Men-of-War. By Capt. U. P. Levy, U. S. N., late Flag Officer Commanding U. S. Naval Forces in the Mediterranean, Originator of the Abolition of Corporal Punishment in the United States Navy. New York: D. Van Nostrand. 1861.

The Anti-Slavery History of the John Brown Year: being the Twenty-Seventh Annual Report of the American Anti-Slavery Society. New York. 1861. pp. 337.

Report of a Committee of the Boston Society for Medical Improvement, on the alleged Dangers which accompany the Inhalation of the Vapor of Sulphuric Ether. Boston. 1861.

For Better, for Worse: a Story from "Temple Bar" and "Tales of the Day." Complete. Boston: T. O. H. P. Burnham. 1861. pp. 165.

Continuation of Account of the Comet II. 1861, by G. P. Bond, Director of the Observatory of Harvard College. From the American Journal of Science and Arts, Vol. XXXII., Sept., 1861. New Haven. 1861.

Insects Injurious to Vegetation, in Illinois. By Benj. D. Walsh, Esq., Rock Island, Illinois. Rock Island. 1861.

Catalogue of the Officers and Students of Waterville College, Maine, for the Academic Year 1861 – 62. Waterville. 1861.

Descriptive Catalogue of Vines, and Wholesale List, etc., etc. By C. W. Grant, Iona, near Peekskill, Westchester Co., N. Y. New York. 1861.

Official Map of the State of Virginia, from Actual Surveys by Order of the Executive, 1828 and 1859, Corrected and Revised by J. T. Lloyd to 1861. New York: H. H. Lloyd & Co. 1861.

General Sketch of Africa, showing the Regions explored by Barth, Livingston, Burton, and Du Chaillu. New York: Harper and Brothers. 1861.

A Catalogue of the Trustees, Instructors, and Students of Lawrence Academy, Groton, Mass., October, 1861. Boston. 1861.

Twenty-Sixth Annual Report of the Boston Society for the Prevention of Pauperism, October, 1861. Boston. 1861.

The Thirty-Seventh Annual Report of the Officers of the Retreat for the Insane, at Hartford, Conn., April, 1861. Hartford. 1861.

Chambers's Encyclopædia. A Dictionary of Universal Knowledge for the People, on the Basis of the latest Edition of the German Conversations-Lexicon. Illustrated by Wood Engravings and Maps. Parts 36 – 38. Philadelphia: J. B. Lippincott & Co. [Vol. III.] pp. 505 – 672.

The Southern Rebellion and the War for the Union. A History of the Rise and Progress of the Rebellion, and Consecutive Narrative of Events and Incidents, from the first Stages of the Treason against the Republic down to the Close of the Conflict, together with Important Documents, Extracts from Remarkable Speeches, etc., etc. New York: James D. Torrey. Nos. 5 – 15. pp. 129 – 480.

The Cloister and the Hearth: or, Maid, Wife, and Widow. A Matter-of-Fact Romance. By Charles Reade, Author of "Never too late to Mend," "Peg Woffington," "Christie Johnstone," "Love me Little, Love me Long," "White Lies," etc. New York: Rudd and Carleton. 1861. 8vo. pp. 256.

The Silver Cord. By Shirley Brooks. New York: Harper and Brothers. 1861. 8vo. pp. 268.

Precaution: A Novel. By J. Fenimore Cooper. With a Discourse on the Life, Genius, and Writings of the Author, by William Cullen Bryant. Illustrated from Drawings by F. O. C. Darley. New York. 1861. 12mo. pp. 484.

Poems by John G. Saxe. Boston: Ticknor and Fields. 1861. 24mo. pp. 308.

Missionary Life in Persia; being Glimpses at a Quarter of a Century of Labors among the Nestorian Christians. By Rev. Justin Perkins, D. D. With Illustrations. Boston: American Tract Society. 1861. 16mo. pp. 255.

Memorial Volume by the Essex Street Society, Boston, to commemorate the Twenty-Fifth Anniversary of the Installation of their Pastor, Nehemiah Adams, D. D. Boston. 1860. 16mo. pp. 128.

The Puritans: or, The Church, Court, and Parliament of England during the Reigns of Edward VI. and Queen Elizabeth. By Samuel Hopkins. Volume III. Boston: Gould and Lincoln. 1861. 8vo. pp. 675.

The New American Cyclopædia: a Popular Dictionary of General Knowledge. Edited by George Ripley and Charles A. Dana. Volume XIII. Parr — Redwitz. New York: D. Appleton & Co. 1861. 8vo. pp. 800.

The Works of Francis Bacon, Baron of Verulam, Viscount St. Albans, and Lord High Chancellor of England. Collected and Edited by James Spedding, M. A. of Trinity College, Cambridge; Robert Leslie Ellis, M. A., late Fellow of Trinity College, Cambridge; and Douglas Denon Heath, Barrister-at-Law, late Fellow of Trinity College, Cambridge. Volume II. Boston: Brown and Taggard. 1861. Small 8vo. pp. 503.

The Birds of Aristophanes. With Notes and a Metrical Table by C. C. Felton, LL. D., President of Harvard University, late Eliot Professor of Greek Literature. Second Edition. Cambridge: John Bartlett. 1861. 12mo. pp. 236.

The Clouds of Aristophanes. With Notes by C. C. Felton, LL. D., President of Harvard University, late Eliot Professor of Greek Literature. Fourth Edition. Cambridge: John Bartlett. 1861. 8vo. pp. 236.

A Catalogue of the Corporation, Officers, and Cadets of Norwich University, for the Academical Year 1861–62. Norwich. 1861.

The Free Christian State and the Present Struggle. An Address delivered before the Association of the Alumni of Bowdoin College, by George L. Prentiss, August 8, 1861. New York. 1861.

Words of Counsel for the Wise Soldier. By Mrs. H. E. Brown. Boston: American Tract Society. 1861.

Twelfth Annual Report of the New England Female Medical College. Boston: 1861.

Library of Select Novels. No. 218. Notice to Quit. By W. G. Willis, Author of "Life's Foreshadowings." New York: Harper and Brothers. 1861. pp. 156.

Streaks of Light: or, Fifty-two Facts from the Bible for the Fifty-two Sundays of the Year. By the Author of "More About Jesus," "Reading without Tears," "Peep of Day," etc., etc. New York: Harper and Brothers. 1862. 16mo. pp. 344.

The Artist's Married Life; being that of Albert Dürer. Translated from the German of Leopold Schefer, by Mrs. J. R. Stodart. Revised Edition, with Memoir. Boston and Cambridge: James Munroe & Co. 1861. 16mo. pp. 204.

# NORTH AMERICAN REVIEW.

No. CXCV.

APRIL, 1862.

ART. I. — *The Letters and Works of* LADY MARY WORTLEY MONTAGU. Edited by her Great-Grandson, LORD WHARNCLIFFE. Third Edition, with Additions and Corrections derived from the Original Manuscripts, Illustrative Notes, and a New Memoir. By W. MOY THOMAS. London: Henry G. Bohn. 1861. 2 vols. 8vo.

THE desire to know something of the private life of a writer who has greatly pleased or instructed us is insatiable. Memoir after memoir of the same person is welcomed without any apparent diminution of the original interest. Lady Mary Wortley Montagu, the third edition of whose Letters has been lately issued from the London press, is a case in point. The first memoir which appeared after her death was imperfect and of doubtful authenticity. That of Lord Wharncliffe, published almost a century later, though fragmentary, is much more satisfactory. Its manifest purpose was to refute the calumnies then in circulation about Lady Mary, and in this it was eminently successful. It also exposes many misstatements of Mr. Dallaway, her former biographer. The memoir by Mr. W. Moy Thomas, affixed to the latest edition of her Works, differs from Lord Wharncliffe's mainly in correcting a few misconceptions, and in offering new views in relation to Lady Mary's letters. These are now compiled from the original manuscripts for the first time, and it is on this account that the new publication is specially valuable. The letters in

Lord Wharncliffe's collection were copied from that of Mr. Dallaway, who had taken the liberty of suppressing portions, and interpolating sentences, to satisfy his own sense of propriety. In connection with the sketch by Mr. Thomas we have Lady Louisa Stuart's "Introductory Anecdotes," also included in Lord Wharncliffe's edition. These are very entertaining, and throw more light upon the manners of the age and Lady Mary's peculiarities than the memoir itself. The latter appears rather meagre, when compared with the full and gossiping biographies of the present day. Still there is much to interest even those most familiar with the subject of the memoir and the times in which she lived. The best and clearest idea of her is gained, however, from her own letters.

Lady Mary Pierrepont was the eldest daughter of Evelyn, Lord Dorchester (afterward Duke of Kingston), and of Lady Mary Fielding, a cousin of the novelist. She was born at Thoresby in 1690, and when she was only four years old her mother died. Her father, though a man of the world and a voluptuary, was very proud of his child's beauty and precocity, and in her eighth year he nominated her for the ruling toast at the Kit-Kat Club, which Macaulay describes as "a society in which were collected all the various talents and accomplishments which then gave lustre to the Whig party." It was a custom of the club to elect yearly some beautiful woman for the reigning toast, and the members objected to the Duke's nomination, upon the ground that their rules forbade the election of any lady they had not all seen. To overthrow this objection, her father immediately sent his orders home, directing that she should be gayly dressed, and brought to the tavern. Her archness delighted the gentlemen as much as her beauty, and she was unanimously elected. As she afterward declared, this was the proudest hour of her life, for she was petted by statesmen, poets, and wits; her health was drunk, and her name was engraved upon a drinking-glass. Subsequently the Duke presented her picture to the club.

The hopes excited by her childhood were not doomed to be disappointed. She had naturally an intense love of knowledge, and a tenacious memory, and, passing most of her time

in retirement at Thoresby, she was able to give uninterrupted attention to her books. Her talents were undoubtedly great; still there is no doubt that she owed much of the quick analysis and command of language, which rendered her the most brilliant woman of her day, to the years thus passed in reading and reflection. Her studies, it is true, were desultory, but her acquirements were very remarkable, if we consider the low standard of female education at a time when few women could write their own language with either elegance or correctness.

When Lady Mary was twenty years old, she translated the Enchiridion of Epictetus, which she sent to Bishop Burnet, her warm friend and adviser, for his inspection. It was accompanied by a charming letter, in which she speaks of the translation as the work of one week of her solitude. She deprecates the low tone of culture among women, and adds: —

"We are permitted no books but such as tend to the weakening and effeminating of the mind. Our natural defects are every way indulged, and it is looked upon as in a degree criminal to improve our reason, or fancy we have any. We are taught to place all our art in adorning our outward forms, and permitted without reproach to carry that custom even to extravagancy, while our minds are entirely neglected, and, by disuse of reflections, filled with nothing but the trifling objects our eyes are daily entertained with."

One of Lady Mary's accomplishments was peculiar to the age. As soon as she was old enough, her father required her to do the honors of his table. This was no easy task; for, besides being attentive and courteous to her guests, etiquette demanded that she should carve every dish herself. Not even the master of the house assisted her, — his sole care was to pass the bottle. At that period there were professed carving-masters for ladies. Lady Mary took lessons three times a week.

Lady Mary's most intimate friend and correspondent, as a girl, was Anne Wortley. This young lady was the favorite sister of Edward Wortley Montagu, and through her Lady Mary became intimately acquainted with her future husband. Her love for this friend, as manifested in her letters, is extravagant and exacting, like that of all girls in their first female

friendship. Still these early letters show a brilliant and highly cultivated mind, and, what is more to be valued as not always allied to genius, good common sense. It must be remembered, nevertheless, that her friend's brother saw all her letters, and as it is probable that Lady Mary knew of the fact, we are obliged, from their tone, to suspect her of occasionally writing for effect. In her nineteenth year she discourses thus sensibly to her friend: —

"I am now so much alone, I have leisure to pass whole days in reading, but am not at all proper for so delicate an employment as choosing you books. Your own fancy will better direct you. My study at present is nothing but dictionaries and grammars. I am trying whether it be possible to learn without a master. I am not certain (and dare hardly hope) I shall make any great progress; but I find the study so diverting, I am not only easy, but pleased with the solitude that indulges it. I forget there is such a place as London, and wish for no company but yours. You see, my dear, in making my pleasures consist of these unfashionable diversions, I am not of the number who cannot be happy out of the mode. I believe more follies are committed out of complaisance to the world than in following our own inclinations. Nature is seldom in the wrong, custom always; it is with some regret I follow it in all the impertinences of dress. The compliance is so trivial it comforts me; but I am amazed to see it consulted even in the most important occasions of our lives, and that people of good sense in other things can make their happiness to consist in the opinions of others, and sacrifice everything in the desire of appearing in fashion."

After the death of Anne Wortley, her brother continued the correspondence with Lady Mary, which now becomes curious as well as interesting. Edward Wortley was evidently a man of character and of culture, but of a very suspicious nature. Though he is fascinated by Lady Mary's beauty and wit, it is plain that he is not happy in his chains. He accuses her of insincerity and a want of generosity; tells her that he should think himself undone if he married her, and that she could not oblige him more than by refusing him. But when she resents his insinuations and reproaches, and gives him the desired dismissal, he begs her to write to him again, and says that he would die to be secure of her heart, and that, were he confident of this, there is nothing he would not do to obtain her. Her replies are charming. It is evident that she

is much disturbed by his doubts, and her feelings fluctuate continually between womanly resentment and warm affection. Finally love is victorious, and after nearly two years' courtship Mr. Wortley lays his suit before her father. Difficulties soon arose in relation to the settlements. Mr. Wortley refused to entail his estate at the suggestion of the Duke, who peremptorily dismissed him, and almost compelled his daughter to marry a man of his selection.

In consequence of these harsh measures, Lady Mary eloped, with the sanction and aid of other members of her family. Her father never fully forgave this act of disobedience, and for many years he permitted no intercourse between her and his other children.

Lady Mary's first letter to her husband after their marriage is very characteristic : —

"I don't know very well how to begin. I am perfectly unacquainted with a proper matrimonial style. After all, I think 't is best to write as if we were not married at all. I lament your absence, as if you was still my lover; and I am impatient to hear you are got safe to Durham, and that you have fixed a time for your return.

"I have not been very long in this family; and I fancy myself in that described in the Spectator. The good people here look upon their children with a fondness that more than recompenses their care of them. I don't perceive much distinction in regard to their merits; and when they speak sense or nonsense, it affects the parents with almost the same pleasure. My friendship for the mother, and kindness for Miss Biddy, make me endure the squalling of Miss Nanny and Miss Mary with abundance of patience; and my foretelling the future conquests of the eldest daughter makes me very well with the family. I don't know whether you will presently find out that this seeming impertinent account is the tenderest expressions of my love to you, but it furnishes my imagination with agreeable pictures of our future life; and I flatter myself with the hopes of one day enjoying with you the same satisfactions, and that, after as many years together, I may see you retain the same fondness for me as I shall certainly do for you, and the noise of a nursery may have more charms for us than the music of an opera.

"Amusements such as these are the sure effect of my sincere love, since 't is the nature of that passion to entertain the mind with pleasures in prospect; and I check myself, when I grieve for your absence,

by remembering how much reason I have to rejoice in passing my whole life with you, — a good fortune not to be valued! I am afraid of telling you that I return thanks for it to Heaven, because you will charge me with hypocrisy; but you are mistaken; I assist every day at public prayers in this family, and never forget, in my private ejaculations, how much I owe to Heaven for making me yours. 'T is candle-light, or I should not conclude so soon.

"Pray, my love, begin at the top, and read till you come to the bottom."

This contentment does not seem to have been of long duration. For some years after their marriage, their income was very limited, and they were obliged to live in retirement. Mr. Wortley's frequent and prolonged absences in London were very distasteful to the young wife. She reproaches him for seldom writing; and, though still warmly attached to him, she appears often dejected and unhappy. She was also very ambitious for him, more so at that time than she was for herself.

"I am glad," she writes two years after their marriage, "you think of serving your friends. I hope it will put you in mind of serving yourself. I need not enlarge upon the advantages of money; everything we see, and everything we hear, puts us in remembrance of it. If it was possible to restore liberty to your country, or limit the encroachments of the prerogative, by reducing yourself to a garret, I should be pleased to share so glorious a poverty with you; but as the world is, and will be, 't is a sort of duty to be rich, that it may be in one's power to do good, riches being another word for power, towards the obtaining of which the first necessary qualification is impudence, and, (as Demosthenes said of pronunciation in oratory,) the second is impudence, and the third still impudence. No modest man ever did or ever will make his fortune. Your friend Lord Halifax, R. Walpole, and all other remarkable instances of quick advancement, have been remarkably impudent. The Ministry is like a play at court, — there 's a little door to get in, and a great crowd without, shoving and thrusting who shall be foremost; people who knock others with their elbows, disregard a little kick of the shins, and still thrust heartily forwards, are sure of a good place. Your modest man stands behind in the crowd, is shoved about by everybody, his clothes torn, almost squeezed to death, and sees a thousand get in before him that don't make so good a figure as himself.

"I don't say it is impossible for an impudent man not to rise in the world; but a moderate merit with a large share of impudence is more probable to be advanced than the greatest qualifications without it."

Lady Mary's counsel to her husband with regard to the accumulation of wealth was too well heeded; for, as he advanced in life, he was noted for his avarice. Her ambitious hopes for him were also realized. He early distinguished himself in the House of Commons, and was intimately associated with Addison. It is said that he contributed some papers to the Spectator. Upon the death of Queen Anne, he was made Lord of the Treasury, and Lady Mary was presented at court, where she became the reigning belle. Two years afterward, in 1716, Mr. Wortley resigned his place in the Ministry, and was appointed Ambassador to the Porte. His wife accompanied him on this mission, and is the third Englishwoman known to have visited Turkey. At that period a journey to Constantinople was considered dangerous, as well as arduous; and Lady Mary's courage was deemed as great as her affection for her husband.

Mr. Wortley remained abroad two years, and during that time Lady Mary collected the materials for her famous Turkish letters. It has always been taken for granted, until recently, that these letters were written in nearly their present form to her correspondents; but Mr. Thomas has concluded, upon a thorough examination of the original manuscripts, that Lady Mary must have corrected and revised them, with the aid of her diary, before giving them away to Mr. Sowden for the purpose of publication. Their style is no more finished than portions of her familiar correspondence; but, regarded simply as letters of travel, they have hardly been surpassed. Nothing escaped her quick observation, except the beauties of nature. These had few charms for her. As with Dr. Johnson, men and manners alone interested her.

Several of the most amusing of these letters are dated from Vienna, where the embassy was detained some time. They give a very good idea of the Austrian temperament: —

"It is not from Austria that one can write with vivacity, and I am already infected with the phlegm of the country. Even their amours

and their quarrels are carried on with a surprising temper, and they are never lively but upon points of ceremony. There, I own, they show all their passions; and 't is not long since two coaches, meeting in a narrow street at night, the ladies in them, not being able to adjust the ceremonial of which should go back, sat there with equal gallantry till two in the morning; and were both so fully determined to die upon the spot, rather than yield in a point of that importance, that the street would never have been cleared till their deaths, if the Emperor had not sent his guards to part them; and even then they refused to stir till the expedient was found out of taking them both out in chairs exactly at the same moment; after which it was with some difficulty that the *pas* was decided between the two coachmen, no less tenacious of their rank than the ladies.

"Nay, this passion is so omnipotent in the breasts of the women, that even their husbands never die but they are ready to break their hearts because that fatal hour puts an end to their rank, no widows having any place at Vienna. The men are not much less touched with this point of honor; and they do not only scorn to marry, but to make love to any woman of a family not as illustrious as their own; and the pedigree is much more considered by them than either the complexion or features of their mistresses. Happy are the shes that can number among their ancestors Counts of the Empire; they have neither occasion for beauty, money, or good conduct to get them husbands."

In the last century, if Lady Mary be of authority, youth must have been but little prized in Vienna. She writes: —

"I can assure you that wrinkles, or a small stoop in the shoulders, nay, gray hair itself, is no objection to the making new conquests. I know you cannot easily figure to yourself a young fellow of five-and-twenty ogling my Lady Suffolk with passion, or pressing to lead the Countess of Oxford from an opera. But such are the sights I see every day, and I don't perceive anybody surprised at them but myself. A woman till five-and-thirty is only looked upon as a raw girl, and can possibly make no noise in the world till about forty. I don't know what your Ladyship may think of this matter, but it is considerable comfort to me to know there is upon earth such a paradise for old women; and I am content to be insignificant at present, in the design of returning when I am fit to appear nowhere else."

Her letters from Turkey, though not quite so piquant, are equally interesting. The languor and indolence incident to an Eastern climate did not affect her in the least. We find

her in Constantinople studying the language, and collecting information as to the manners and customs of the Turks. She procured admission into the harems of many influential persons, though not into the royal seraglio, as has been erroneously reported. Some of her stories of the Turkish ladies are very entertaining. In reference to her proficiency in the Eastern dialects, she writes thus jestingly to one of her correspondents (Lady Rich) : —

"I fancy you are now wondering at my profound learning; but alas! dear madam, I am almost fallen into the misfortune so common to the ambitious, — while they are employed on distant insignificant conquests abroad, a rebellion starts up at home; — I am in great danger of losing my English. I find it is not half so easy for me to write as it was a twelvemonth ago. I am forced to study for expressions, and try to learn my mother tongue. Human understanding is as much limited as human power or human strength. The memory can retain but a certain number of images; and 't is as impossible for one human creature to be perfect master of ten different languages, as to have in perfect subjection ten different kingdoms, or to fight against ten men at a time. I am afraid I shall at last know none as I should do."

Through the summer, the English embassy remained with the court at Belgrade; and it was there that Lady Mary passed the greater portion of her time. Her residence was pointed out to travellers for many years; but, owing to the frailty of Turkish dwelling-houses, there is not a trace of it left. Lady Mary states, as a reason for the little attention given to the erection of private residences, that, at the death of a proprietor, his dwelling became the property of the Grand Seignior, and very few persons cared to enrich the state to the detriment of their heirs.

Mr. Wortley returned to England in the autumn of 1718. Lady Mary was received with much distinction upon their arrival, the fame of her travels rendering her an object equally of curiosity and of admiration. At the risk of losing this popularity, she began and carried into execution the great work of her life. At Belgrade, she had noticed the custom of inoculating for the small-pox, which was then so terrible and universal a scourge, — its ravages extending as widely among the wealthy and high-born as among the poor. Being fully

convinced of the efficiency of this resource, she tried it successfully upon her own child, and afterward exerted all her influence toward its introduction into England. Her efforts met with the most violent opposition. The clergy denounced it from the pulpit; the medical faculty rose unanimously in arms against it; and the common people were incited to hoot at Lady Mary as an unnatural mother when she appeared in public. Her energy and courage, however, finally triumphed. The project was submitted to the government, and it was first tried upon criminals sentenced to death. Proving successful, the practice gained ground gradually, and, until superseded by Dr. Jenner's discovery, was the sole stay against the spread of the disease. Lady Mary devoted a great deal of her time to this her pet scheme. She had met with such success in her treatment of her own children, that her presence was required on every such occasion by mothers of her own rank; and she cheerfully gave her assistance and advice whenever demanded. She richly deserved a public memorial; but the only recognition of her benevolence and patriotism has been at private hands. In the cathedral at Lichfield a cenotaph is erected to her memory, as an expression of gratitude, by a lady who regarded her as her own preserver.

The first few years after Lady Mary's return were undoubtedly the most brilliant and prosperous of her long life. She was both admired and courted. Her influence in literary circles was immense. Poets and authors solicited her patronage, which she always gave generously, though her judgment upon the publications of her own day was often influenced by personal feelings. She liberally assisted Savage, and was the intimate friend of Fielding, her second-cousin. Pope, too, was still her admirer. Their intimacy began a short time before she left England, and he had corresponded with her during her absence. His letters are far inferior to hers in interest and ability. They are full of vapid compliment and fulsome flattery, and are by no means worthy of so great a poet. Lady Mary passes over his professions of attachment in silence, and vouchsafes to him none in reply, if her published letters can be trusted. Flattered she undoubtedly was by such homage, and she entertains him in return with scraps of Turkish poetry and ancient epigrams.

From her friend, Pope became her most bitter and unscrupulous enemy. The causes assigned for his hostility to her have been many and various. One was, that she wounded him by an epigram upon his deformity; another, that he was jealous of her friendship with his political foe, Lord Hervey, the nobleman to whom Lady Mary had reference in her often-quoted and witty remark, that "there are only three kinds of people in the world, — men, women, and Herveys." Mr. Thomas thinks it likely that she first offended Pope by a clever parody on the poem "On Two Lovers struck dead by Lightning," which he sent her just before her return to England. This is hardly probable, as it was through Pope's persuasion that the Wortleys settled at Twickenham. It was also out of complaisance to his request that she sat for her portrait to Sir Godfrey Kneller, that strange medley of avarice, vanity, and genius. This portrait was in the possession of her family and never belonged to Pope, as has been reported. On its completion, he composed the well-known poem beginning, —

"The playful smiles around the dimpled mouth."

Pope would never have written so flatteringly of Lady Mary had he been vexed by her parody; nor could the offence have been given by its subsequent publication, for that occurred after their estrangement. A late writer in one of the English reviews attributes it to a more commonplace cause. Lady Mary had an inveterate habit of borrowing, and continually annoyed Mrs. Pope, who kept house for her son, by her demands. There is a story afloat that she even borrowed sheets, and, after keeping them for an unconscionable length of time, returned them unwashed. Such negligence and inconsiderateness kept Mrs. Pope in a state of constant irritation; and as her son was devotedly attached to his mother, her annoyances doubtless affected him also, and finally led to a rupture. Lady Mary's own account is very different. She states that "at some ill-chosen time, when she least expected what romancers call a declaration, he made such passionate love to her as, in spite of her utmost endeavors to be angry and look

grave, provoked an immoderate fit of laughter, from which moment he became her implacable enemy."

It is a little singular that Dr. Johnson, in his life of the poet, makes no mention of his passion for Lady Mary. He refers to their enmity once, and then only in relation to Pope's intimacy and capriciousness with Lord Oxford. He says: "The table was indeed infested by Lady Mary Wortley, who was the friend of Lady Oxford, and who, knowing his peevishness, could by no entreaties be restrained from contradicting him, till their disputes were sharpened to such asperity that one or the other quitted the house." What the great Doctor thought of Lady Mary's character is very apparent from the significant use of the word *infested.*

Her conduct toward Pope was probably very irritating, but still there is no excuse for his incessant malignity. He abused her so unmistakably in his imitations of the first satire of the second book of Horace, under the name of Sappho, that she and Lord Hervey, who had also been attacked, determined to be revenged. They composed jointly a severe retort, ending with these lines: —

> "Then whilst with coward hand you stab a name,
> And try at least to assassinate our fame,
> Like the first bold assassin's be thy lot,
> Ne'er be thy guilt forgiven or forgot;
> But as thou hat'st, be hated by mankind,
> And with the emblem of thy crooked mind
> Marked on thy back, like Cain, by God's own hand,
> Wander, like him, accursed through the land."

The poet and satirist had certainly no claim upon their forbearance, but the deformed man had many claims; and no provocation can justify these cruel and cowardly allusions. Neither Lord Hervey nor Lady Mary was a match for Pope; and they paid dearly for their revenge, for he became only more violent and acrimonious, and his assaults were not easily parried.

Pope was not Lady Mary's only enemy. Before she left England again, she became universally unpopular; and she verified in her case the truth of the saying, "Wit is a dangerous thing in a woman." Gifted with rare talents, beautiful,

high-born, and accomplished, it would seem as though she possessed everything to make life enjoyable. But though in some respects a prosperous, she was far from being a happy woman. Her very capabilities proved her bane; and, notwithstanding her fame, her lot was not enviable. Brilliant and witty, her acute penetration and lively sense of the ridiculous gave too sharp an edge to her satire. In her sallies she spared neither friend nor foe; and as but few of her associates dared enlist against her in the war of wit, success rendered her only the more regardless of the feelings of others. A characteristic anecdote of her recklessness is given by Lady Louisa Stuart. Lady Rich, a former friend and correspondent of Lady Mary, affected, as she advanced in years, great juvenility in manner and dress. On one occasion, when they were in company together, some allusion was made to the Master of the Rolls. He was old Sir Joseph Jekyll, "who never changed his principles or his wig," and who had held the office so long, that he was identified with it. "Pray, who is the Master of the Rolls?" said Lady Rich, in an innocent tone. "Sir Humphrey Monnoux, Madam," answered Lady Mary, naming off-hand the most unlikely person she could think of. The company laughed, and the lady looked disconcerted; but, not daring to betray her better knowledge by disputing the fact, she went on in desperation, making herself still more ridiculous. "Well, I am vastly ashamed of being so prodigiously ignorant. I dare say I ask a mighty silly question, but pray, now, what is it to be Master of the Rolls? What does he do? for I really don't know." "Why, Madam, he superintends all the French rolls that are baked in London, and without him you would have no bread-and-butter for your breakfast." There was no parrying this. Lady Rich colored, flirted her fan, and professed herself unable to cope with Lady Mary in wit. She had no wit. "Nay, but look you, my dear Madam; I grant it a very fine thing to continue always fifteen, — that everybody must approve of; it is quite fair. But, indeed — indeed one need not be five years old."

Such repartees increased the number of her enemies; yet it is strange that Sarah, Duchess of Marlborough, who could bear no rebuke even from royalty, and who quarrelled with all

her relations, not only endured Lady Mary's impertinences, but remained her firm friend during her life. Very few of her other friends were so magnanimous. She alienated them by her sarcasms, and they also dreaded her pen even more than her tongue. Satirical epigrams and lampoons were the fashion of the day. Swift and Pope had set the example to all the inferior wits, and Lady Mary also, infected by the mischievous spirit, made every silly story the subject of ridicule and satire in verse. Addison, in one of the early papers of the Spectator, alludes to the prevalence of this custom, and gravely and earnestly censures it. Lampoons and satires that are written with wit and spirit he likens to "poisonous darts, which not only inflict a wound, but are incurable." Lady Mary herself suffered severely from these dubious pleasantries, and many abusive sonnets were attributed to her of which she was entirely innocent. Her indiscretions also were trenchant weapons in the hands of her enemies. Numerous stories were circulated to her disadvantage; but most of them would have probably died away like all idle rumors that have little or no foundation, had not Horace Walpole, the great scandal-monger of his age, been at the pains to record the most scandalous. He took the same delight in retailing gossip, that he did in collecting old relics and articles of *virtu*. Macaulay, in a keen and skilful dissection of his character, applies to him Hero's charge against Beatrice: —

> "So turns she every man the wrong side out,
> And never gives to truth and virtue that
> Which simpleness and merit purchaseth."

Lady Mary and Horace Walpole's mother were contemporaries, and hated each other cordially. As he was strongly attached to his mother, this fact may account for his persistent animosity toward her enemy. He met Lady Mary at Florence, and described her as "old, ugly, dirty, tawdry, and avaricious." She was not aware of his dislike; for in a letter to her daughter she mentions having met Mr. Walpole, and adds that he was particularly civil to her. His scandalous stories to Lady Mary's prejudice, however, have been fully refuted by Lord Wharncliffe, and also by Mr. Thomas, her last biographer.

In 1739, Lady Mary left England and remained abroad twenty-two years. Declining health was the reason assigned for her departure, and in a letter to a friend she speaks of Mr. Wortley's intention to join her as soon as Parliamentary business would permit. They never met again; but it is evident from her letters that they separated on good terms. She writes to him from Dover, and again at Calais, entering upon all the little details of her journey. Mrs. Jameson, in her sketch of Lady Mary, speaks of her marriage "ending in disgust and aversion, which after their separation subsided into good-humored indifference." There is not the slightest hint of such a state of feeling either in the memoirs or her own letters. She speaks of her husband always kindly, when addressing Lady Bute, and on one occasion she says: "It has been my interest and duty to study his character, and I can say with truth I never knew any man so capable of a generous action." They corresponded during his life, and Mr. Wortley seems to have scrupulously fulfilled all her commissions. He also made her the medium of his transactions with his unworthy son, which he certainly would not have done had they not been on amicable terms. Indifferent to each other they undoubtedly were, but there is no evidence of a worse feeling. Her letters to him are kind. She evinces a polite interest in his health, though hardly an affectionate solicitude. During her early married life she was tenderly attached to him, and she often reproaches him for his coldness. Probably his neglect chilled her affection, and contributed toward making her the worldly woman she became. Lady Mary's eccentricities and unfeminine habits, however, account for much of Mr. Wortley's indifference. Mrs. Jameson also alludes to some verses written by Lady Mary to her husband, and preserved by Disraeli, which express the "utmost bitterness of female scorn." So many lampoons were attributed to Lady Mary which she never wrote, that the genuineness of these lines may be doubted. She often complained bitterly of the injustice she suffered in this respect. From her retirement in Italy she wrote to her daughter on the subject. "I do not believe ever Job or Socrates had such provocation. . . . . I have seen things I have written so mangled and falsified, I have

scarce known them. I have seen poems I never read published with my name at length, and others that were truly and singly written by me printed under the name of others."

Lady Mary's constant correspondent while abroad was her daughter, Lady Bute, though she wrote occasionally to Mr. Wortley, Lady Oxford, and other friends. Lady Bute seems to have been as much the comfort and honor of her parents as their son was their disgrace. He was weak and profligate, and was finally disowned by them. Their daughter married advantageously, and, if we may judge of her character from her mother's letters, she was a dutiful child and good wife. She never involved herself in any of Lady Mary's quarrels, but, happy in her own home, found there the peace which had been forfeited by her more gifted mother. Lady Mary, in one of her letters to Mr. Wortley, says: "What I think extraordinary is my daughter's continuing so many years agreeable to Lord Bute, Mr. Mackenzie telling me, the last time I saw him, that his brother frequently said among his companions that he was still as much in love with his wife as before he married her." What a significant comment this upon her own matrimonial experience, and of the society in which she had moved so many years!

After travelling through Italy, Lady Mary selected Brescia as a permanent residence. At Lovere, where she passed her summers, she amused herself with the superintendence of her vineyards; but disgust and satiety, even more than her ill-health, had evidently banished her from England. Her letters to Lady Bute are affectionate and entertaining; but her cheerfulness, to borrow her own simile, is "like the fire kindled in brushwood, which makes a show, but is soon burned to cold ashes." "I have passed a long life," she writes, "and may say with truth, have endeavored to purchase friends; accident has put it into my power to confer great benefits, yet I never met with any return, nor indeed any true affection, but from dear Lady Oxford, who owed me nothing." "I have long thought myself useless to the world. I have seen one generation pass away, and it is gone, and I think there are a very few left who flourished in my youth." "I believe, like all others of your age, you have been long convinced there is no real

happiness to be found or expected in this world. You have seen a court near enough to know neither riches nor power can secure it, and all human endeavors after felicity are as childish as running after sparrows to lay salt on their tails."

But Lady Mary's vicissitudes, though they had sobered her spirit, did not soften her character. While she admits the insufficiency of earthly pursuits and enjoyments, she does not seek higher and truer pleasures. The world that she affected to despise was still her idol, and though professing belief in and respect for Christianity, she was far from being a religious woman. When Lady Bute was suffering from the loss of her son, she endeavors to console her with worldly advice.

"Disappointments," she says, "ought to be less sensible at my age than at yours; yet I own I am so far affected by this that I have need of all my philosophy to support it. However, let me beg of you not to indulge in useless grief to the prejudice of your health, which is so necessary to your family. We see so darkly into futurity, we never know when we have a real cause to rejoice or lament. . . . . Do not give way to melancholy; seek amusements; be willing to be diverted, and insensibly you will become so. Weak people only place a merit in affliction. A grateful remembrance, and whatever honor we can pay to their memory, is all that is owing to the dead. Tears and sorrow are no duties to them, and make us incapable of those we owe to the living."

This advice may be sound philosophy, but certainly is not very comforting to a mother in the first bitter hours of a bereavement. Lady Mary's counsels to Lady Bute upon the education of her children are most excellent, when we consider the rank of those children and the prejudices of the age.

"I wish your daughters to resemble me in nothing but the love of reading, knowing by experience how far it is capable of softening the cruellest accidents of life; even the happiest cannot be passed over without many uneasy hours, and there is no remedy so easy as books, which, if they do not give cheerfulness, at least restore quiet to the most troubled mind."

"It is a saying of Thucydides, ignorance is bold, and knowledge reserved. Indeed, it is impossible to be far advanced in it, without being more humbled by a conviction of human ignorance, than elated by learning. At the same time I recommend books, I neither exclude work nor drawing. I think it as scandalous for a woman not to know how to use a needle, as for a man not to know how to use a sword."

"If your daughters are inclined to love reading, do not check their inclination by hindering them of the diverting part of it; it is as necessary for the amusement of women as the reputation of men; but teach them not to expect or desire any applause from it. Let their brothers shine, and let them content themselves with making their lives easier by it, which I experimentally know is more effectually done by study than any other way. Ignorance is as much the fountain of vice as idleness, and indeed generally produces it. People that do not read or work for a livelihood have many hours they know not how to employ, especially women who fall in vapors or something worse."

"No entertainment is as cheap as reading, nor any pleasure so lasting. Your daughter will not want new fashions, nor regret the loss of expensive diversions or variety of company, if she can be amused with an author in her closet. To render this amusement complete, she should be permitted to learn the languages. I have heard it lamented that boys lose so many years in mere learning of words; this is no objection to a girl, whose time is not so precious; she cannot advance herself in any profession, and has therefore more hours to spare; and as you say her memory is good, she will be very agreeably employed this way. There are two cautions to be given on this subject: first, not to think herself learned when she can read Latin, or even Greek. Languages are more properly to be called vehicles of learning, than learning itself, as may be observed in many schoolmasters, who, though critics in grammar, are the most ignorant fellows upon earth. True knowledge consists in knowing things, not words. I would wish her no further a linguist, than to enable her to read books in their originals, that are often corrupted, and are always injured by translations. . . . . The second caution to be given her (and which is most absolutely necessary) is to conceal whatever learning she attains with as much solicitude as she would hide crookedness or lameness; the parade of it can only serve to draw on her the envy, and consequently the most inveterate hatred, of all he and she fools, which will certainly be at least three parts in four of all her acquaintance."

Mr. Wortley died in 1761. Business matters requiring the presence of Lady Mary, she at last yielded to the earnest solicitations of her daughter, and returned to England. Her appearance is thus described by Horace Walpole: —

"Lady Mary Wortley is arrived; I have seen her; I think her avarice, her dirt, and her vivacity are all increased. Her dress, like her languages, is a galimatias of several countries. . . . . She needs no

cap, no handkerchief, no gown, no petticoat, no shoes. An old black-laced hood represents the first; the fur of a horseman's coat, which replaces the third, serves for the second; a dimity petticoat is deputy, and officiates for the fourth; and slippers act the part of the last."

This account is probably exaggerated, yet contains the elements of truth. Lady Mary had long lost her beauty, and her untidiness, even before she left England, was notorious, and had been satirized by Pope. Three years before Mr. Wortley's death, she acknowledged that it was eleven years since she had seen her figure in a glass, and that the last reflection she saw there was so disagreeable, that she had resolved to spare herself such mortification in future. This resolution accounts for much that was fantastic in her appearance.

She was not contented in England; foreign habits had become a second nature, and it is probable that she would have again gone abroad had not her disease — a cancer, with which for years she had been battling in secret — now assumed a more menacing aspect. She died in the arms of Lady Bute, August, 1762.

Lady Mary left a diary, portions of which Lady Bute was in the habit of reading to her children; but upon her death it was destroyed by her orders. Much interesting material was consequently lost to the world; but prudential motives probably induced Lady Bute to suppress it. Lady Mary recorded and commented upon all the scandalous stories of the day, and the publication of such records would have caused infinite mischief. We see the pernicious effects of indiscreet disclosures in our own age, in the recriminations and heart-burnings caused by the publication of Humboldt's letters. They have not only done much harm to the living, but have materially injured the character of Humboldt himself. Lady Mary's diary would probably have had the same effect.

Her poems are more clever than poetical. The Town Eclogues are parodies on the pastorals of Pope and Philips. Literature with her was simply a pastime. Had she pursued it as a profession, there is no doubt that she would have been entirely successful as an author. As it is, her literary fame must rest entirely upon her letters. In elegance and grace they rival those of Madame de Sévigné, while they far surpass

them in freshness, wit, and originality. The descriptions of Lady Mary never fatigue, while Madame de Sévigné's are often wearisome. The former, in a letter to her sister, Lady Mar, says: "The last pleasure that fell in my way was Madame de Sévigné's letters; very pretty they are, but I assert, without the least vanity, that mine will be full as entertaining forty years hence. I advise you therefore to put none of them to the use of waste paper." Lady Mary modified her opinion, however, very considerably; for thirty-one years later she says to her daughter: "How many readers and admirers has Madame de Sévigné, who only gives us, in a lively manner, fashionable phrases, mean sentiments, vulgar prejudices, and endless repetitions." Lady Mary could not appreciate the tender, affectionate nature of Madame de Sévigné, and thus the peculiar charm of her correspondence was lost upon her. The characters of these rival letter-writers contrast strikingly, while some circumstances of their lives are very similar. Both were court beauties and belles. The husband of the one was indifferent, while that of the other was profligate. The sons of both caused their parents great anxiety, while their daughters were their pride and comfort. But here the parallel ceases. The seductions of the most brilliant of French courts rendered Madame de Sévigné's virtues only the more conspicuous. Left early in life a widow, she mourned sincerely for her dissipated husband, and, rejecting all the allurements of a society she adorned, devoted herself to the care and education of her children. The kindest of friends and the most tender of mothers, she suffered only through her affections, and in all her trials her childlike faith and trust in God were her solace and support. The world, on the contrary, had spoiled Lady Mary, and her vanity was more frequently wounded than her heart.

The great affliction of Madame de Sévigné's life was her separation from her daughter, and she thus touchingly alludes to it: —

"There is not a spot, not a place, either in the house or at church, where I have not seen you, and there is nothing which does not recall you. You are my only thought; my mind and my heart seek you, but in vain I turn, in vain I search; this dear child, whom I love with so

much passion, is two hundred miles from me. She is mine no longer, and I weep without restraint. This is very weak, but I cannot wrestle against a tenderness so just and so natural."

Lady Mary consoled herself for a voluntary exile from her daughter by more philosophic reflections.

"How often I fancy to myself the pleasure I should take in seeing you in the midst of the little people, and how severe do I then think my destiny that denies me that pleasure. I endeavor to console myself by reflecting that we should certainly have perpetual disputes, if not quarrels, concerning the management of them; the affection of a grandmother has generally a tincture of dotage; you would say I spoilt them, and perhaps not be much in the wrong."

Lady Mary often wrote for display. To amuse her daughter, and to express the yearnings of an overflowing love, were the sole objects of Madame de Sévigné's letters. They are the unaffected utterances of her heart. The fame of both will probably be lasting. The one will be esteemed for her sweet, womanly qualities, even more than for her intellectual endowments, while the other must be respected for her genius, no less than honored as a public benefactor.

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Art. II. — *Voyage dans la Cilicie et dans les Montagnes du Taurus, exécuté pendant les Années* 1852, 1853. *Par Ordre de l'Empereur et sous les Auspices du Ministre de l'Instruction Publique et de l'Académie des Inscriptions et Belles-Lettres.* Par Victor Langlois. A Paris: Chez Benjamin Duprat, Libraire de l'Institut et de la Bibliothèque Impériale et du Sénat, des Sociétés Asiatiques de Paris et Londres. 1861. 8vo. pp. 494.

In the month of December, 1851, just after that daring act of arbitrary violence by which the President of the French Republic became virtually the autocrat of the French realm, it occurred to the shrewd thought of M. Victor Langlois that an audience at court, and a little timely adulation of the new

monarch, might materially aid a long-cherished scheme of Eastern discovery. He had just finished a work on Oriental Numismatics, and took with him to the august presence a copy of the book, to substantiate his title to favor. The Prince received him graciously, and, running his eye through the volume, added, "Then you have travelled in Asia?" "No, Monseigneur; but I should be happy to visit the East, if your Imperial Highness would deign — " Eight days later he received from the Minister of Public Instruction a commission which appointed him to make an "archæologic exploration" of Lesser Armenia; and on the 19th of May, 1852, he started upon his enterprise. His outfit was very moderate, and not at all burdensome, consisting only of the books that might be of use, a letter of introduction to the French Consul, and an abundance of excellent advice from the Academy of Inscriptions, the Asiatic Society, and the Directors of the Imperial Museums, as to the kind and method of his researches and investigations. His baggage was only that of an ordinary railway journey; but he was, as he says, "rich in hope," full of confidence in his own powers and his sure success, able by long practice to decipher the most obstinate legends, whether upon metal or upon stone, and tolerably skilled in the dialects of the region where his discoveries were to be made. He invited no retinue, preferring to find his aids upon the spot; and of the passengers who embarked at Smyrna in the steamer Mentor, on her regular return trip along the Syrian coast, none appeared less important than the quiet person whose homely face and steel-bowed spectacles seemed to designate a wandering German student.

The splendid volume named at the head of this article is the latest and most accessible, if not the most valuable, fruit of this voyage of discovery, so quietly begun. It is the complete work of which the previous essays of M. Langlois had given the promise and the desire. The quarto published in 1854, immediately after his return to Paris, had supplied a hundred and eighty-two new texts for the sagacity and conjecture of the readers of the literature of ancient stones. Divers papers in the "Numismatic Review" had given specimens of the coins and medals of the classic age which this antiquarian miser

had extorted from buried monarchs, — Sardanapalus and others. In the "Archæologic Review," a paper on the "Dunuk-Tasch" had demonstrated that the three hundred and fifty feet of damaged pudding-stone in the neighborhood of Tarsus, which other travellers had despised as mean, was really the cenotaph of the Assyrian king before which Alexander, in his victorious march, stopped to wonder and reflect. Hints about the Ansaireeh and their faith had suggested that M. Langlois could tell a good deal more about that singular people, if he only should see fit. The full opening has now come; and instead of thin quartos and scattered articles in reviews, we have a goodly octavo, printed in the best style of the Parisian press, decorated with spirited engravings in great number, with curious inscriptions and more curious devices, arranged in the most scientific order, written in a style at once clear, concise, pure, and entertaining, and conveying an amount of new and valuable information very rare in works of Eastern travel. M. Langlois has not been mocked by his buoyant hope; and his revelations of Cilicia will give him place with eminent discoverers. Not the least valuable service which Napoleon III. has rendered to the science of his empire has been the judicious patronage of this "numismatist"; and the work which sums up the results of these two years in "Little Armenia" is quite worthy of an imperial "imprimatur."

"Little Armenia" is but another name — a mediæval phrase — for Cilicia. The volume, with the exception of the few closing pages, is wholly upon Cilicia, and rigidly rejects all extraneous matter. Sixty-two pages are given to the "Prolegomena," comprising a cursory description of the country, its topography, its natural history, races, languages, religions, trade, manufacture, agriculture, government, and history. These are followed by a piquant narrative of personal adventure, the "Journal du Voyage," in which the several expeditions from the capital, north, west, and east, are somewhat rapidly sketched, — showing, by comparison with the romances of Messrs. About and Enault, that truth is stranger than fiction, and leading one to think that the best chapter in "The King of the Mountains" was adapted from the report of M. Langlois's

actual experience. The remainder of the volume is occupied with a systematic statement, analysis, and discussion of the ruins, monuments, inscriptions, and relics of every kind collected or examined by the traveller in the four regions into which he divides Cilicia, — Cilicia of the Mountains, Cilicia of the West or of the Plains, the Cilician Taurus, and Cilicia of the East. The order followed in this discussion is chronological, beginning with the remains of the most ancient time, and coming down to the most recent. The antiquities of each site and city are described separately; and to the description are joined admirable historical notices of each place, and of the natural scenery. We shall have space in this article to mention only a few of the principal places and monuments described by the traveller.

Cilicia, the country to which M. Langlois was sent, is most widely known as the native land of the Apostle Paul; and the information of the majority of men concerning it is confined to that fact. But the researches of this traveller prove that the land has a much fuller title to the attention of archæologists. The name which he has chosen to give it is its ancient name, and not that by which it is at present known. Its modern name is Karamania, from the family of Karaman, of which, after the Turkish conquest, it became a possession. Its name in the Middle Age was "Little Armenia," given to it by the Armenian victors, to mark the distinction of their colony by the sea from their great empire around Mount Ararat. But in the long epoch of Greek and Roman dominion, it bore the name of Cilicia, according to Herodotus given from Cilex, son of Agenor of Phœnicia, but more probably derived from κίλιξ, an obsolete Greek name of the buffalo, which is the symbol of Tarsus, the capital of the province. The country lies in the southeastern part of Asia Minor, along the northeastern corner of the Mediterranean, being surrounded on the other sides by high ranges of mountains, — the Amanus on the east, and the Taurus on the north and west. Viewed from the sea, it appears to be a long strip of undulating plain, hemmed in by a lofty mountain wall, which during most of the year is crowned with snow. The provinces from which this mountain wall separates Cilicia are Pamphylia on the

west, Lycaonia and Cappadocia on the north, and Syria on the east. These limits, however, have varied much in different ages and with different conquests. At one period, the Euphrates became the eastern boundary of the ambitious kingdom; and more than once it has been restricted to the plains in the neighborhood of Tarsus. The present limits of the two pachalics of Adana and Itschil include nearly all that belonged to the Roman province under the Cæsars, — an irregular belt of territory, from the thirtieth to the thirty-fourth degree of east longitude, and from the thirty-sixth to the thirty-eighth degree of north latitude, with an extreme length of two hundred and fifty miles, and an average breadth of from forty to fifty miles. Along the shore of the gulfs of Soli and Iskanderûn, a sea-coast line of one hundred and fifty miles, the land is very level and marshy, as is signified by the name "Pœdia," which distinguished it in ancient time from the western region, called Cilicia Trachea, from its rugged and rocky surface. Throughout this latter region, isolated hills and spurs from the mountain wall give a wild beauty to the scenery, while they make travelling difficult and dangerous. These small mountain ranges keep no regular course, and tend to all points of the compass. In all the country there are copious water-courses, some of which are large enough to be reckoned as rivers. The Cydnus, which flows by Tarsus, is but the fourth in size, being surpassed by the Calycadnus, the Pyramus, and the Sarus, — all of these streams having, from their fountains in the Taurus to their mouths in the sea, a length to be measured in hundreds of miles. In some parts these streams lose themselves in the marshes, to reappear at some distance beyond; and there are some which seem to disappear utterly and have no outlet.

Unlike the Syrian shore of the Mediterranean, the Cilician shore is indented with numerous bays, separated from each other by projecting capes and headlands. The gulf of Iskanderûn is thirty miles wide from Alexandretta to the mouth of the Pyramus. The gulf of Soli, at the head of which is Mersina, the port of Tarsus, is eighty miles in breadth from Cape Megarsus to the mouth of the Calycadnus. These bays, broad as they are, are not provided with harbors, and afford little

more protection against the force of the waves than the roadsteads of Jaffa and Acre. In ancient times, there were several ports from which commerce with Syria, Cyprus, Africa, and Greece was carried on, but now most of the trade by sea is confined to the harbor of Mersina. This is the only landing-place on the coast for the French and Austrian steamers.

Cilicia has always been famed for the unwholesomeness of its air, and for its severe climate. Alexander came near dying when he attempted to pass through the land, and, more than a thousand years later, the Grand Master of the Templars wrote home to the Pope, that if four thousand horsemen, strong and sound, should try to get through this sickly region, it would be wonderful if the end of the year found five hundred of them alive. This unhealthiness comes rather from the bad drainage, and from the neglect of the land, than from any misfortune of position. Apart from the extreme heats of the dry season, there is nothing to make the climate intolerable, if the rivers were only united by a canal which should carry off their superfluous and stagnant waters. The air of the mountain region is temperate, and even cold in the winter, compelling many of the nomad tribes to seek the plains.

The country, especially in its hilly portion, is rich in mineral wealth. There are mines of iron, which yield from sixty to seventy-five per cent of metal, near the surface and easily wrought; mines of lead, yielding forty-two per cent of this metal, with two per cent of silver; mines of copper, yielding from thirteen to twenty-five per cent of the metal; with sulphur, and valuable quarries of stone. The vegetation is various and beautiful, and is mostly identical with that of Northern Syria. Eight species of fossil plants have been found here and described by Russian botanists. The Fauna, if less remarkable than in the time of the Emperor Julian, when *lions* were often seen in the Taurus, are still sufficient in quantity and quality for a sportsman's needs. There remain a few of those brown bears which the pious Duke Godfrey of Bouillon delighted to slay. The chase of the hyena, the wild boar, the antelope, the goat, the red fox, and divers "smaller deer," may still tire an enthusiast, as it tired Frederic of the Red Beard on his crusading march. There are wild buffaloes and

wild horses still roaming the plains round Anazarbus, and huge eagles, vultures, hawks, and owls gather to the feast when a camel falls. Along the water-courses, ducks and geese in flocks, solitary herons, cranes standing on one leg, and the heavy stork, invite destruction. The immense turtles — two of them land species and one marine — might satisfy a London alderman, if the testimony of Admiral Beaufort is to speak for the race. He saw one weighing two hundred pounds. Johnny Crapaud might be equally delighted by the abundance of frogs and crabs in Cilicia; and a Milesian would speedily invoke the blessed Saint Patrick to clear the land of its snakes and reptiles.

The human inhabitants of Cilicia are a strange agglomeration of races, greater in variety in proportion to their numbers than those of most Eastern provinces. The successive tribes of conquerors have each left descendants in the land, and in the 150,000 scattered over the territory there are reckoned not less than sixteen sorts of men. The most numerous are the Turcomans, estimated at 60,000; next to these are the 40,000 Turks; next to these, the 20,000 Kurds; and lowest in number of the Moslem tribes, the Arabs, partly of Syrian, partly of Egyptian descent, to the number of 15,000. The Arabs, the Turks, and a portion of the Turcomans, are "sedentary," living in towns and in houses; the Kurds and the larger portion of the Turcomans are nomad, living in tents, and shifting their encampment with the season, and as necessity compels them. These nomad Turcomans, the Bedouins of the province, are separated into ten tribes, while of the sedentary Turcomans there are nine tribes, each under its own hereditary chief. The principal wealth of the country consists in cattle, sheep, goats, and camels, by far the larger proportion of these belonging to the nomads. The tribe of Kerim-oglou alone has 2,500 tents, 2,000 head of cattle, 40,000 sheep, 4,000 goats, and 2,000 camels; and the whole number of tents belonging to the nomad tribes is 9,100, with an aggregate property of 544,150 beasts in all kinds. The sedentary Turcomans have 5,880 houses, with an aggregate of 221,425 beasts. The two classes have an exemplary dislike of each other, and are constantly at strife. The nomads, who bear the name of

Jourouks, have little to recommend them except their hospitality to strangers; whom, however, they are quite ready to plunder when these cease to be their guests. All the Turcomans are Moslem, most of them fanatically so.

The Kurds, though less numerous, are far more formidable and warlike. From their fastnesses in the eastern mountains they come down to forage and plunder, setting at defiance the authority of the pachas, and rarely and reluctantly paying any tax to the government. They have four distinct tribes, with 5,000 tents, 95,000 sheep, 45,000 goats, 60,000 head of cattle, and 9,600 camels. They are not a religious people, attach very little importance to prayers, and, like the Yezidis of Persia, make the Christian's Satan their favorite god. Of the 15,000 Arabs, who dwell mostly along the coast of the sea, the large majority are Ansaireeh. They are descendants of exiles for their faith from the mountains of Northern Syria. The number of Gypsies cannot be exactly given, this race being in Cilicia, as everywhere else, spurned and shunned by the other races. The traveller, nevertheless, meets frequent camps of this people, "without decency or religion," with garments and features encrusted and discolored with dirt, — "this hideous brood, greedy as hogs," to use the words of an old chronicler. There are negro slaves, too, included in the catalogue of Cilician races, but they are fortunately so few as not to be worth counting.

The number of "rayahs" in Cilicia, who are descendants of the conquered races, and mostly Armenians, is reckoned at 12,000. Those who inhabit the plains are poor laborers, corresponding to the Fellahin of Egypt; the inhabitants of the mountains are in better condition. The Greeks, partly of the old Cilician stock, partly of Syrian descent, number about 1,000. They are the merchants, the farmers, the factors of the land, guiding its enterprise and carrying on its communication with the men of foreign nations, and are far more civilized than any of the other races. Of the race to which Paul belonged, which once had synagogues throughout the country, but two individuals now remain. The Moslems of Tarsus may tolerate Jewish graveyards, but will not suffer the presence of living Israelites. A small number of Christian Persians dwell

among the Armenians, but the census takes no account of these insignificant "Kizilbaches." The Frank population — Greek, Italian, Maltese, French, and English — numbers scarcely more than one hundred.

The principal language of Cilicia is the Turkish, which is by no means spoken in its purity, differing as much from the tongue of Stamboul or Smyrna as the French of Quebec from the French of Paris, or the Italian of Naples from the Italian of Tuscany. Along the coast, a corrupted Arabic is spoken. In the seaports, the merchants speak a Cypriot Greek, which is not the dialect of either ancient or modern Athens. The Christian priests and the *educated* classes, if such a term may be applied to Cilician society, pretend to speak Armenian, somewhat as the Wallachians pretend to speak Latin. The foreigners have their "Lingua Franca," the Kurds their corrupted Persian, and the tongues of the country may be summed up as six kinds of *patois*. The Greeks and Armenians, when they write in the common Turkish speech, use their own characters, as the Maltese use Roman letters in writing Arabic words. There is not much writing required, since books and newspapers do not now circulate widely in this region, once so famed for culture and refinement.

Cilicia is well supplied with religions. Besides the dominant Moslems, four fifths of the whole population, there are Orthodox and Catholic Greeks, Catholic and Dissenting Armenians, 120 Maronites, 100 Latins, 70 Jacobites, 3 Protestants, with a sprinkling of Druses, Metualis, Ismaeleeh, Devil-worshippers, and Jews, with the 13,000 Ansaireeh already alluded to. The relation of the sects is comparatively peaceful, the Christian sects being not numerous or powerful enough to make trouble. It is rather the practice than the science of religion that is cared for, and there are no schools of the prophets, either Mos lem or Christian.

The trade of Cilicia is greatly reduced from its mark in the Biblical eras, when the kings of Tyre and of Jerusalem brought silver, purple, saffron, and perfumes from its ports, and is far from justifying the extravagant accounts of the Middle-Age pilgrims concerning the wealth of this teeming coast. In those days, the merchants of Tarsus and Lajazzo had treaties of com-

merce with all the powers bordering on the sea, and the ships of Genoa and Venice, bringing the varied treasures of Western industry, took back horses, asses, mules, and cattle, with wood, iron, and slaves. This last branch of commerce, once very lucrative, has now happily declined, and *slaves* are not included in the tables of Cilician products, though markets for the Turkish harems are still found in some of the towns. Very little reaches Cilicia by way of the sea. The foreign steamers leave only the remnant of their merchandise after visiting the Syrian coast, and the native craft are too small for heavy freight. Rice comes from Egypt, coffee and soap from Syria; but with the exception of these commodities, nearly all the imports are through the mountain passes, on the backs of mules and camels. The exports of cotton in its raw state and in fabrics, of goat's-hair and camel's-hair cloaks, of tent-cloth, and of wooden utensils, find their way to the bazaars of Aleppo and Smyrna, in small quantities, most of the product being consumed within the country. There are one hundred and sixty-four factories of various kinds in the province of Adana, under the direction of a Nazei, or general superintendent, whose power is almost unlimited. In the western pachalic, the principal manufacture is of saddles, bridles, harnesses, and knapsacks; and it is reckoned that two hundred bales of leather are annually brought from Europe to supply this industry. A new branch of lucrative commerce was opened in 1837 by the *leech* fishery; and now, in the markets of Marseilles, Cilician bloodsuckers command high prices, and are in great favor. The business season of Cilicia is the months of January and February for wholesale traffic, March and April for retail. It is customary for business men to make large advances to producers.

The soil of Cilicia, especially in the pachalic of Adana, is rich, and might with proper culture yield abundant harvests. There is no lack of sun or of water, artificial canals distributing as in Egypt the surplus of the rivers. In the gardens along the Sarus and the Calycadnus one hears the creaking of the *sakkia*. But the people are too sluggish for improvement, and agriculture is in no better condition than when Strabo and Pliny described the land. Excessive taxes, defec-

tive methods, and a lazy peasantry preclude the fruit of husbandry. The ashes of an annual burning is almost the only manure in use. In June, the time of harvest, great numbers of foreigners come in, to work for the large wages of eight piasters a day besides their food, — a pay greater than that of most European laborers. The principal products of the field are cotton, the average annual value of which is $600,000; wheat, of about equal value; sesame, in value about $75,000, of which a great deal of oil is made; barley, in value about $60,000; about $14,000 worth of wool; and about $8,000 worth of tobacco, very far inferior to that of the Lebanon. The wheat is of two kinds, red and white, the white being preferred, and commanding a price twenty-five per cent higher than the red. The barley crop is very uncertain. The wool is of excellent quality, white and fine. Shearing-time is in April and May. White-wax comes to market in the month of August, and is sold at from ten to fifteen cents the *oka*. Cotton is of three qualities, only the poorest of which is exported in the raw state. Flax is but little cultivated. Though vines are numerous and of luxuriant growth, comparatively little wine is made, and that of poor quality. The curious viand called *Boundourma*, which the naturalist Belon described in the sixteenth century, made from *nut sausages*, *fried in wine* and *basted with flour*, is still popular. A few olive-trees are cultivated, and there is some poor and coarse silk raised.

The government of the province is administered by the two pachas, each having under-pachas for the districts and the villages. The usual staff of agas, medjlis, muftis, and kadis administer and interpret the laws. The military force for each pachalic consists of a battalion of regular infantry, numbering six hundred, and of a thousand bachi-bazouks, three hundred of them mounted, who are scattered in all parts of the province. The pachalic of Adana, which sends to the Porte the principal revenue of Cilicia, raised in the year 1852, from taxes of all kinds, nearly eleven millions of piasters, a sum equivalent to about $500,000 of our money. The sources of this revenue were duties from customs, duties upon smoking-tobacco, snuff, salt, spirits, cattle, camels, and passports, and various kinds of direct tax. The *salian* tax is levied upon the

property of all married persons without distinction of religion, and is either 60, 30, or 15 piasters, the piaster being about five cents of our money. The *khavadj* is levied upon all *rayahs* or Christians over fifteen, Mussulmans being exempt, and is either 50 or 15 piasters. The *spentz*, a sort of poll-tax, is 3 piasters the head. The Ansaireeh pay a special poll-tax, the *miri*, amounting to 2 or 3 piasters. The Turcomans pay tithes, and the Jourouks pay a special "tent duty," amounting to 5 piasters for each tent. The sale of animals pays a small percentage to the government; and the wood-merchants are obliged to sell their wood to the government at half-price. A very important source of revenue is found in the tolls at the passes on the mountain frontiers, a regular tariff of which is established. A Christian pays $3\frac{1}{4}$ piasters, and if a pilgrim, $5\frac{1}{2}$ piasters; a load of manufactured goods pays 9 piasters; a load of wheat or barley, $1\frac{5}{8}$ piasters; and a load of other agricultural products, $5\frac{1}{2}$ piasters. This is at the pass of Kulek-Boghaz, where the rates are lowest. At the other passes the charge is much higher; a pilgrim paying 12 piasters, and a load of merchandise $12\frac{1}{2}$.

The net revenue of the pachalic ought to yield, after the expenses of administration are met, not less than $400,000 to the Porte. But here, as in other Turkish provinces, there is equal carelessness in the collection of taxes and in remittance to the imperial treasury. The quota of this pachalic is constantly in arrear, and officials contrive to cheat the government. The Julian law, which gave the governor a right to draw upon the people for the supply of his table, is still in force; and, in addition, this magistrate is allowed 180,000 piasters of salary, or $9,000. He is appointed for no particular time, and holds office only at the pleasure of his Ottoman master. One inferior official, however, the Turcoman Bey of Payas claims an hereditary right, which is respected by the paramount government.

Such, in brief, was the experience and condition of the country as M. Langlois found it at the close of the month of May, 1852, when the steamer Mentor cast anchor in the port of Mersina. Scarcely had he recovered from admiration of the beautiful panorama made by the double arc of the curving

bay and the background of magnificent mountains, when he was summoned to expiate, by five days in the Lazaretto, the sin of having ventured to visit the land of pestilence. There was no plague in the countries from which he had come; but reason was vain against the inexorable fidelity of the officers of health. The Lazaretto of Mersina, like most hospitals of this kind, is a filthy prison, allowing no accommodation of any kind, not even a plank to lie on. The adjoining marshes guarantee speedy fever, and M. Langlois discovered at once that his only chance for life was instant escape from this infected stable of Augeas. An accommodating Turk, whom the Consul had sent to meet him, readily entered into his idea, and about midnight, after the guard had stupefied themselves by copious potations, the prisoner managed to let himself down by a cord from the window, and join this Turkish friend, who was in waiting with a good horse ready saddled; a vigorous kick from the Turk gave motion to the beast, and a gallop in the darkness ensued, such as an officer of the French Guard had never taken. There was no time, indeed, to be lost. The dogs of the Lazaretto had given the alarm, and the fugitive had hardly time to hide himself in the cellar of Ali's house, in one of the great empty jars, before the officers of justice were knocking at the door and claiming the Effendi. They were bullied off, however, by the click of pistols and the lies of Ali, and the affair had no tragic conclusion. It was certainly a characteristic beginning of adventure among Arabs.

Escaped from this immediate danger, the first care of M. Langlois was to hasten to the Consul's house, where he would be safe from arrest. He found, to his amazement, that the Consul was living under a tent, like a Bedouin, and that this was the fashionable summer arrangement for Cilician society. Ichmé, the place of the encampment, the Biarritz, the Bath, the Saratoga of Cilicia, is the resort, in the sickly months, of all the first families of Tarsus. The sulphur springs continue to supply here, as in the days of the Romans, a nauseous beverage and an invigorating bath; and the waters of Ichmé have, moreover, the excellent moral advantage of being perfectly free. Nobody owns them, neither the state nor any private company or man. The visitor may enjoy, without money and

without price, the luxury of being parboiled in one of the ancient sarcophagi, which are used now as bathing-tubs, with the accompaniment of the nasal chanting of Gypsies, the musicians of Cilicia. It was at this pleasant watering-place that the Consul had installed himself, with his suite of gentlemen and Arabs. The Consul himself was a character, a Syrian Christian, who had acted as the dragoman of Lamartine, had served the daughter of the poet in her last sickness, and had received his lucrative and honorable sinecure from the head of the Provisional Government of France in gratitude for this service. M. Langlois found with him a polite reception, and was furnished with a tent, a carpet, and a sufficiency of pipes, the chief luxuries of an Eastern establishment. The arrival of a Frank is an important event in that region which Franks so rarely visit; and M. Langlois had not been long at Ichmé before a package of despatches from the Pacha arrived, welcoming to the province "His Excellency the Bey-zadeh Victor Langlois, French prince, the glory of scholars, the light of science," and furnishing him with safe conduct to the capital. The experience which the fugitive from quarantine had had of Arab horses should have taught him prudence; but on nearing Tarsus, the noisy salute of musketry which announced his presence gave him a fresh lesson in horsemanship, and he was precipitated into a muddy ditch, and compelled to make an undignified entry on foot. His first stay in Tarsus lasted for several weeks, which he diligently employed in examining ruins, acquainting himself with the people, and making himself the hero of various adventures. The season of the year was that of marriages and baptisms, and he was called to favor his friends with his society and patronage at these happy ceremonies, which he found at once entertaining and fatiguing. At the marriage festival he was annoyed by the everlasting discharge of fire-arms, by the horrid discord of the band of three instruments, and the shouts of the little vagrants who followed it along the street, — by the uncouth style of the wedding repast, cones of rice and great plates of roast mutton, torn apart by the fingers and devoured voraciously, — and especially by the deafening applause when the bridegroom raised with a sabre the mass of shawl which enveloped the form of

his invisible bride. He notes carefully the exhibition of wedding presents, among which glass *nargilehs* with silver mountings figured conspicuously. The most curious circumstance, however, is the rush which all the guests make for a piece of the sacred bread, which the priest throws down before the altar when he pronounces the nuptial benediction, a *mêlée* as noisy, as fierce, and even as dangerous, as that at the Holy Sepulchre in Jerusalem when the Sacred Fire appears. The holy wafer, in its symbolic meaning, becomes thus the "wedding cake," and any one who can secure and eat a fragment of it will be happily married within the year.

Some of the baptismal ceremonies in which M. Langlois bore a part were equally remarkable. As godfather, he was expected to furnish a name for the infant, and to promise on its behalf that it should be trained carefully in the faith of the "Gregorian Church," duties not easy for a foreigner and a Catholic to fulfil. But the difficulties were evaded; the Greek prelate was as accommodating as the bishop of an English Church. "Say yes!" said he to the perplexed godfather, "and all the responsibility will then fall on the godmother." The name, "Mardyros-Garabed-Asdonadzadour," or "Martyr-Precursor-God-given," was kindly suggested by the father of the child. The baptismal dress of the infant was the simple raiment of nature, and the font was a basin of wine. The legend of Clarence's death represents the method of the new birth in the Church of Cilicia.

Soon after his arrival, by the advice of judicious friends, M. Langlois had hastened, by the present of a gun, to gain the good-will of a taciturn savage, Bothros Rok, who seemed to be held by the citizens of Tarsus in peculiar fear and respect. This terrible janissary, a Christian Arab of Palestine, had avenged the rape of his sister by the murder of her seducer, the son of the Pacha of Jaffa, and had been driven in consequence first to the Lebanon, and then to the Taurus, where he had been the associate and messenger of the most renowned of the bandits, and had remained many years in this life of plunder. On the breaking up of the bands, by mutual agreement, the services of Bothros were secured by the government, who could at any time furnish safe conduct through the

mountains to those whom he should accompany. To the acquaintance and friendship of this freebooter M. Langlois owed his life. Another acquaintance which he made on one of his rambles was that of the beautiful Nedjmé, the "Pearl of the Taurus," daughter of a mountain chief, who seems to be the original of M. Enault's Nadèje. It was a happy omen that this charming damsel deigned to accept his company, and gave him prestige as a traveller. Omens are of great weight in the East; woe to the man who meets a crow, a beggar, a hare, or a Jew, as he is starting on his journey; happy he who shall see a dove, an eagle, a gazelle, or a young virgin! M. Langlois was glad to make use of the omen.

The most elaborate description in the volume is that which M. Langlois gives of Tarsus and its environs. The city is not large positively, much less in comparison with its grandeur under the Roman *régime*. Its inhabitants number scarcely seven thousand; its houses are low and terraced, its streets narrow and crooked, and on market-days blocked up by the caravans passing and repassing; it is cut up by canals, which supply water to the fountains and baths; the mosques are dilapidated; and grass grows in the squares and on the walls. It is difficult to believe that this is the city of the mythic Perseus, of the luxurious Sardanapalus, — the city where Alexander rested from the fatigue of his way, where Antony feasted Cleopatra with such magnificence, where there were such magnificent temples, theatres, and aqueducts, that this was the second city of the kingdom of Leo II. in the Byzantine age. Now, in the sickly season, the streets are almost deserted. There are no successors to the scholars, orators, and philosophers of whom Strabo gives so long a catalogue; and none, not even pachas, can read the works of that Cicero who was once Proconsul here. M. Langlois soon found that his excavations could not be aided by any native skill in archæology, and that the stolid suspicion of the Turkish officials was a serious obstacle to his inquiries. He was fortunately not detected in his attempt to force with powder an entrance into the Dunuk-Tasch. But if he had obeyed the order of the Governor of Tarsus to desist from digging in the Gueuzluk-Kaleh, the museums of Paris would have lost some of their most curious treasures.

Of the former glories of Tarsus many monuments remain. Of the Cyclopean structures of the Pelasgic times, there are few traces, but the vast mass of the Dunuk-Tasch carries back the history to the time of Assyrian dominion. This monument, which M. Langlois believes to be the most ancient existing in Asia Minor, he has demonstrated to his own satisfaction to be the tomb of the first Sardanapalus. It is a great oblong of conglomerate, 354 feet in length, 129 in breadth, and 22 in height. The white marble with which it was originally incrusted has been carried away, and the inscriptions which the ancient historians record have disappeared. We need not go over the argument of M. Langlois, or his refutation of the theories of Barbaro, that it was a castle; of Texier, that it was the seat of an oracle; of Chesney, that it was a temple of Jupiter; and of Zosimus, that it was the tomb of Julian the Apostate. From a comparison of authorities, from an examination of medals, and from the preponderance of conjectural reasoning, he makes out a case as strong, certainly, as that of the tomb-theory of the Great Pyramid.

The *Gueuzluk-Kaleh*, from which M. Langlois extracted so many treasures, in statuettes, jars, and articles of pottery, he considers to be the Greek cemetery of the successors of Alexander. Of relics of the Roman period, he mentions the Gymnaseum, aqueducts, roads, bridges, sewers, mosaics, and a huge mound in which he discovered numerous figures in *terra-cotta*. These monuments are mostly in a very fragmentary condition. Some of the mosaics are well preserved, but most of them are too far destroyed to allow any satisfactory study. The *cloaca maxima*, discovered in 1853, is twelve feet in height by eight in breadth, and evidently communicated with the principal streets of the ancient city. In the house of a Nassairi peasant, M. Langlois was so fortunate as to find a Greek milestone, of which he gives the mutilated inscription. Of the numerous temples of Tarsus there are no authentic remains; the more pity, since few cities have worshipped, from their foundation, more various and heterogeneous gods. The Pantheon of Greece and that of Egypt were added to the deities of Assyria, and an elaborate inscription, which M. Langlois gives, taken from a bath-house, expresses the gratitude of

Tarsus to the "Pious, Fortunate, and August Marcus Aurelius Severus Alexander, son of the *god* Antoninus, grandson of the *god* Severus." Of the remains taken from the cemetery, the most important are figures of the gods, *ex voto* offerings, portraits, and caricatures. The Trinity of Pagan Tarsus seems to have been Hercules, Apollo, and Perseus, who are frequently confounded. The eagle, the lion, and the bull seem to have been the favorite symbols.

Of the Byzantine, Armenian and Moslem ages there are at Tarsus some interesting monuments. The beautiful gate of the Kandji-kapon belonged to a Byzantine fortress. Fragments of the castle remain to attest as well its primitive grandeur as the vandalism of the rulers who have dismantled it. The Church of the Virgin, which Armenian tradition says that Paul founded during one of his visits to his native city, is in excellent preservation, with the exception of its dome, and is adorned with the usual quantity of black pictures, yellow ostrich-eggs, and silver-plated saints' faces. Its most rare treasures are two Armenian manuscripts of the Gospel, in quarto, elegantly bound, one of which dates from the eighth century. The Church of St. Paul, now a mosque, was founded in the fourteenth century by King Ochinus. In this church was buried Hugo the Great, the famous Crusader. The gates of the city and its present wall belong mostly to the Moslem period, and there are six mosques, some of them with showy minarets and imposing dimensions. The mosque of Makam-djami contains, according to the legend, the tomb of the prophet Daniel; and there are not a few touching inscriptions on the Mussulman houses and tombs. The memory of St. Paul is kept at Tarsus, as the memory of Abraham at Hebron, by a gigantic carob-tree, so large that two men cannot clasp it, and with a hollow in its trunk large enough for a man to live in. Unfortunately for the legend, a botanist's eye denies for the tree more than two centuries of age.

Making Tarsus his centre, M. Langlois explored the country from time to time in various directions, spending in his journeys usually from two to six weeks. His travelling companions were Peyron, a young Greek merchant, very easily frightened; Gregory Alepson, formerly an Armenian monk, but

now chancellor of the English Consul; Bothros, his champion defender and interpreter, with two companions of the same class; ten armed zapties, or militia; an Arab cook; and a full company of mookras, or mule-men. His first excursion was along the coast, to Soli, Lamas, and Gorigos. The ruins of Soli, and of Pompeiopolis, which lies near to it, are close to the sea-shore. They consist of fragments of baths, reservoirs, aqueducts, and houses, mostly hidden by the thicket of bushes, and brought to light with difficulty. The long colonnade from the harbor to the city, once of two hundred columns, still shows forty-eight in good preservation, some Corinthian, some Composite. The tomb of Aratus, whose verse Paul quoted with such effect to the Athenians, is as conspicuous by the roadside here as the tomb of Cicero on the way to Gaeta, and has an architecture somewhat similar. To-day, this spot, retaining the proud names of Solon and Pompey, once the seat of power and opulence, is not even, as it was in the Middle Age, the haunt of pirates, but is given over to reptiles and desolation. While M. Langlois, on the steps of the ruined theatre, was gazing upon the tranquil sea, and recalling in imagination the galleys of the Egyptian conqueror, he was startled by the hiss of a monstrous black snake, six feet in length. A Cilician secret which he greatly coveted was the art of serpent charming; but he found that the *psylli* could not be persuaded by any offer to sell or to impart so divine a gift. "The psyllus who should sell his secret would be exposed through all eternity to the avenging scourge of Satan."

Soli is about two hours distant from Mersina. The next place of importance is Lamas, though all along the road is lined with ruined Byzantine castles. Here the hill-country begins. Of Lamas, once the capital of a province, nothing now remains except a double row of aqueduct arches spanning a mountain torrent. The neighborhood is romantic. There are wild glens, cascades, and in a gorge, by the aid of a glass, are seen trophies hung up on the brow of the precipice. The *Tefingue-dagh* is to Cilicia what the Profile Mountain and the Cannon Mountain are to the Franconia Gap. The literal translation of the word is "Gun Mountain." The actual trophies hung on the rock are an inlaid bow, two ar-

rows, and a sabre. Such votive offerings are not unusual in Moslem lands.

A few miles beyond Lamas are the ruins of Sebaste, or Eleusa, once famed for its olives. What is now a promontory was once an island. The ruins here are almost wholly Roman, and consist of aqueducts, reservoirs, house walls, part of a temple, and part of a theatre. A Greek inscription copied from a sarcophagus shows that the exclusive spirit bore sway in ancient as well as in modern tomb-building: "Plotinus, son of Hyginus, built in his lifetime, for himself, this sarcophagus, and this monument in the cemetery of Sebaste. After his death, only his daughter can be buried here; and if any one else buries here, he will pay six hundred pence to the treasury, and three hundred to the city."

Gorigos, the ancient Corycas, is, to an archæologist, the most attractive locality in Cilicia. It is called by Oppian the "City of Mercury." Cicero, Livy, and Pliny all speak of it in their writings. In the time of Stephen of Byzantium it was a famous resort of pirates; and in the thirteenth century it is mentioned as remarkable for its admirable ruins. A manuscript poem of the fourteenth century, in the Imperial Library of Paris, gives a very exact description of its castles and towers, which may be verified from the large engravings of M. Langlois's volume. These castles, one of which has been separated from the mainland by the action of the waves, are of Armenian origin, and of vast extent; and the inscriptions upon their towers are of great assistance in determining the chronology of "Little Armenia." The moonlight view of these ruins which M. Langlois enjoyed would have been enchanting but for the hum and stings of the myriad mosquitoes, the substitute for the "Divine fury" of the ancient soothsayers, who here announced the will of the gods. The party, unable to sleep, held a night session, enlivened by ghost stories, around the fire; and the leader very appropriately recited a passage from the "Inferno" of Dante. Vainly they endeavored to find a mummy in the numerous sarcophagi; and in one, from which, seemingly intact, they removed the lid by gunpowder, they found only a package of tobacco. To such base uses have the sepulchres of the Byzantines come in this region.

Farther on is Selefké, the site of Seleucia, on the Calycadnus, the river in which Frederic Barbarossa was drowned. Thirty houses and a mosque now represent the city which Nicator founded, which in the fourth century was the capital of the Isaurian robbers, and which in the thirteenth century was a stronghold of the Knights of St. John. On one of the two ruined temples, the frieze represents "winged genii holding enormous bunches of grapes." A Roman bridge of six arches is in good preservation; there is a great reservoir of marble; and in the necropolis are great numbers of sarcophagi cut from the solid rock. On the covering of one of these stone coffins, M. Langlois was delighted to discover the name of Aphrodisias, the first Christian martyr of Seleucia. The castle of the knights, oval in form, is nearly perfect, even to the steep staircase on the mountain by which it is reached. It occupies the point of a precipitous rock, and has the same magazine and cistern of unfailing water which the Venetian Barbaro saw there four hundred years ago. From the ruined seats of the theatre, which looks out upon the sea, is a splendid panoramic view, which the imagination of a scholar could easily fill. It is sad to say that this ancient capital is now, like Syene in Egypt, degraded to be the place of exile for abandoned women.

Another place in "Cilicia Trachea" which M. Langlois visited was Kannideli, the ancient Neapolis of Isauria, where he found curious bas-reliefs, sarcophagi, and all sorts of mediæval ruins, but no trace of the Roman dominion. On one of the churches he discovered an inscription nearly identical with that on the Church of St. Helena at Bethlehem. The roads between these towns are hardly less attractive in the number of their ruins than the Appian Way of the Roman Campagna; and the volume contains descriptions of arches, mausoleums, and grottos fatiguing to the memory. This first western excursion of M. Langlois gave him abundance of work in arranging and revising his notes; and he found the attentions of the Consul on his return to Mersina rather a hindrance than a comfort.

The next excursion from Tarsus was eastward, through the region watered by the Sarus and the Pyramus, to Adana, Ana-

zarbus, Sis, and the country of the Kurds, to Missis, the ancient Mopsuesta, and to Aias on the gulf of Iskanderûn. Adana, on the Sarus, the capital of the pachalic, is about a day's journey across the plain from Tarsus. It is a considerable city, numbering 18,000 inhabitants. The tradition says that it took its name from Adanus, the son of "Cœlum and Terra." Its origin is certainly obscure, and it was an old city when Pompey chose it for one of his prison colonies. It was the home of Cassius in the wars of the Triumvirate. Hadrian took pains to visit it, and Maximian gave to it his favor. Ravaged and laid waste by the Isaurians, it had become great again in the age of the Caliphs, and was one of the cities which Haroun al Raschid is said to have rebuilt. The Crusaders found it rich in all kinds of spoil; and from the time of the Turkish conquest it has always prospered. The monuments which remain declare the fame of the city. The great bridge which Hadrian built across the Sarus still continues to amaze travellers by its strength, its breadth, its solid foundations, and its graceful arches. At the entrance stands a gate which once belonged to the walls of the city. There are remains of the aqueduct which Auxentius built, and which established his fame. The walls of the Byzantine castle still frown above the bridge; and they show the Vakef-serai, the house and room in which Sultan Murad lodged, as they show in the hotel of Augsburg the house and room of Charles V. Adana is, nevertheless, very modern in its general appearance. Its palace is kept clean, and is defended by artillery. Its baths are spacious, convenient, and greatly frequented. The Armenian cathedral has a curious manuscript of the Gospels of the thirteenth century; there are another Armenian Church and a Greek Church; nine mosques with elegant minarets; streets with sidewalks; and 4,500 houses, many of them fine. It has a temperate climate, a clear sky, and a situation of unrivalled beauty. By the boat navigation of the Sarus, it has communication with the Mediterranean countries, but most of its traffic is by caravans. The Pacha, Mehemet Zia, as M. Langlois found him, was hospitable, dull, and extremely addicted to *kief*, a state half-way between absolute sleep and the Italian *far niente*. The interview at the palace was rather gracious than exciting.

The Pacha's residence, like that of the Doge in Venice, is at once a palace, a barrack, and a prison.

From Adana to Sis, the ancient capital of the Christian kingdom of Armenia, is about fifty miles in a northeasterly direction. The route is not free from danger, as it passes through several camps of Turcomans. M. Langlois was permitted to taste in the tent of one of the chiefs the wine and mutton of Turcoman hospitality, and he does not recommend either. The wine was an equivocal boiling liquid flavored with resin, and the stew was an *olla podrida* of grease, nuts, and honey. There was no sign of any care for cleanliness. Arriving at Sis, he was summoned to the episcopal palace to receive the welcome of the aged Patriarch, whose white beard, wrinkled face, blue turban, and black robe gave picturesqueness to his serene dignity. The conversation, which was aided, of course, by chibouks, turned upon European affairs, in which his Eminence was not well posted, but chiefly upon the wickedness and schism of the rival Patriarch of Echmiedzin, a subject on which M. Langlois was not fully informed. The interview lasted two hours. All the ingenuity of the traveller could not, nevertheless, get the Armenian archives opened to his inspection. A night expedition which he attempted, in the vault beneath the church, in darkness and dirt, assisted by Bothros, reminding him of Dante's inscription over the gate of hell, resulted in nothing but mortification and disappointment. He found coffins, bats, and bones enough, but no parchments.

The town of Sis is built like an amphitheatre, on the side of an isolated mountain, just at the foot of the Taurus. The houses are terraced, like those of the Lebanon, the convent crowning them upon the summit. On another rock is the castle. Below the city is a river, one of the branches of the Pyramus. It is a Christian city, and a mosque and bazaar are the only Turkish establishments. It is governed by a Turcoman Bey, who denies the authority of the Pacha of Adana and withholds all tribute. The monuments of the city are wholly of the Armenian epoch, and in fact its history cannot be fairly traced farther back than the twelfth century. The principal of these monuments are the castle, a very strong

work, now abandoned; the palace, which, like the Hradschin at Prague and the ancient Medeenet Haboo of Thebes, was at once a palace and a temple; and many churches of singular construction. The most sacred of these is the Church of St. Sergius, a special saint of Armenian reverence. This is a very small building in the centre of the city, hidden by a high wall from profane gaze, lighted only by a few holes in the dome, and decorated by saints' heads in very rude and ugly bas-reliefs.

In Jerusalem, all pilgrims are expected to kneel at the "tombs of the Prophets" on the Mount of Olives. In Sis, the tombs of the Patriarchs are the approved shrines of piety. M. Langlois gives the epitaphs from several of these tombs, some of them in jingling Armenian rhymes. That upon the tomb of Michael I. runs thus: "In this tomb rests the Lord Michael, the great Elect, who was surnamed Sublime, Admirable, Desirable. He died in peace in the Lord, in the year 1200" (A. D. 1750). The tomb of the Patriarch Theodore bears a still more flattering testimony to his merit. "This is the tomb of the Holy Catholicos Theodore, of the race of Achabah, chosen among a thousand! He made many efforts to restore the Holy See, and shone by his eminent qualities. This was a sublime man and superior to all the rest. He died in the year one thousand and five two hundreds with forty" (1245 of the Armenian era, or 1795 of our era). The inscription over the door of the new monastery is worth noting. Its style is magniloquent, though, unlike similar inscriptions in Rome, it promises no "full and perpetual *indulgence*." "I am the gate which gives entrance to the heavenly light, to the banquet of the light of glory, (for here is poured the sacred wine and is sacrificed the immortal Lamb,) of the temple supported on the column of grace, lately built anew. I and my Church have been built at the expense of the Lord Guiragos, the sublime Patriarch, who rests upon the heavenly word, most pious and full of the Holy Ghost." The generous and pious Guiragos deserved a better fate. He was poisoned by the Bey for having pretended to independence, and his tomb is in the sanctuary which he had newly adorned.

The Armenian convent of Sis boasts of its relics of awful

sanctity, which constitute the chain of argument for its Apostolic pre-eminence. These are the *right hands* of several of the patriarchs and saints of different ages, beginning with the hand of Gregory. These hands are fastened to silver arms, and are garnished with finger-rings. As in the case of Roman relics, some of these are duplicated and disputed; and the convent of Echmiedzin has in its reliquary a right hand of Gregory equally well vouched for. It may be an instance of that miraculous power, ascribed by an old writer to the saints, of "self-multiplication." Other treasures of the convent of Sis are the Pallium of Agop (or James I.) the Wise, of red silk, embroidered with crosses and figures of Christ and the saints; two parchment manuscripts of the Gospel, one of them a folio, and regarded by the monks as the miraculous work of King Leo II.; the vase of holy oil, kept in a special tabernacle, as the wafer in the Pix of St. Laurence at Nuremberg; the archives, now nearly destroyed; and the library, of 250 printed volumes, and 145 manuscripts of no great value. All these books are religious, and most of them liturgical. Armenian literature begins and ends with forms of prayers.

On the way from Sis to Anazarbus, a journey of a few hours, M. Langlois and his party were attacked by a tribe of Kurds, who were beaten off, though not until several of the party had been wounded, among others M. Langlois himself. A ball through the leg did not lessen his ardor for discovery, and he gives an account of Anazarbus as if nothing had happened, mentioning merely that a sudden rise of the streams is apt to make travelling dangerous in that neighborhood. He remained in the city ten days, studying its monuments and admiring its position, as strong and commanding as that of Mont St. Michel in France. The ruins stand upon a steep rocky eminence, at the base of which, as well as around the summit, are walls with towers. A long line of aqueduct arches crosses the plain below, and a fine triumphal arch stands at one of the gateways. The chapel of the castle contains a curious sculptured genealogy of the Armenian Barons, preserving thus a *catalogue raisonné* of their tombs. The origin of this city and of its name is disputed. In the time of Augustus it was called Cæsarea; Justin, rebuilding it

after an earthquake, called it Justinopolis; and when, destroyed for the fourth time by an earthquake, it was again rebuilt by an Emperor, it took the ponderous name of Justinianopolis. It became one of the chief cities of the Armenian kingdom, and a great battle with the Saracens was fought in its neighborhood, in which Bohemond, Prince of Antioch, lost his life. In Anazarbus, M. Langlois remarks, as an evidence that the Turcomans are *more civilized* than other Orientals, that their women came unveiled into his tent, and in the evening sat down and smoked chibouks with him, without appearing to be troubled by the exposure.

From Anazarbus the party took their way southward to Missis, passing some remarkable castles; starting up some wild boars, which unclean animals our author could not persuade his servants to hunt; and meeting the imperious Princess Belgiojoso, returning from Syria with her daughter, with whom he was forced to *exchange cooks*. At the request of the Princess, he united with her in a Catholic mass, said by one of her suite in the chapel of a ruined convent, which he found, albeit not much given to sentimental piety, to be very touching and beautiful. Missis, on the Pyramus, is the ancient Mopsuesta, a town chiefly known from its connection with Bishop Theodore, a high ecclesiastical authority. It dates, according to Eusebius, from the siege of Troy, having been founded by the hero Mopsus. It had a famous Temple of the Sun, and celebrated the rites of Bacchus. It was a favorite city of the Emperors; and medals show what privileges were given to it by Hadrian, Decius, and Valerian. Its situation on the river Pyramus was favorable for commerce; and some of the arches still remain to show the magnificence of the bridge which Justinian constructed. The ruins of the ancient city are few, and not very important. From the cemeteries M. Langlois brought away some curious inscriptions, one of which contains in itself the material of a history. "I am Museus, killed prematurely by my brother Tryphon. I intrusted to him the care of all my property for twenty years, and I did not suspect his good faith; yet he deceived me in all things. Not being able to bring him to justice, wanting even my daily nourishment, and violently deprived of life be-

fore my maturity, I invoke against my brother Tryphon, and against his children, the gods of heaven and those of hell; and I make vows that all curses may go with them in all their life and after: for Tryphon ought not thus to have acted in any way. I pray also the gods that neither Tryphon nor any other person may take my bones from this little monument, nor derange anything in this tomb, nor carry away anything by violence, but leave all things here in their places: thus will he be saved from the burnings which threaten him, unless . . . . . or if one is an officer of justice; but he who shall do this without purpose or reason, let the gods of the land become adverse to him." An exemplary novel might easily be drawn from this epitaph.

From Missis, M. Langlois directed his course to Aias, the ancient Egea, crossing the range of the Amanus, and passing along the coast of the bay of Iskanderûn as far as the battle-field of Issus and the town of Alexandretta. A visit which he made to a famous Turcoman chief, Moustik Bey, had some instructive results. This captain of robbers, who lived by plundering and taking toll of caravans, had a mortal dread of rats and mice, and would flee with all speed at the sight of one of these animals. A special magician had charge, by incantations and cabalistic prayers, to keep these vermin away from the premises of the valiant robber. Aias, on the sea-shore, is a very old city, taking its name from the Greek *αἴξ, goat*, the symbol of the city. It had at once commercial eminence and religious hospitality, adopting freely the gods of the nations which brought to it their custom. The ruins cover a vast extent of ground; but the only edifice which time has respected is the Armenian castle, which, as restored by Sultan Soliman, has the curious checkered appearance of the Tuscan churches, half of the stones being the blackened remains of the former fires. Where the merchants once exchanged their wares with Syria, Egypt, Greece, and Italy, there are only fifteen miserable huts, and sixty-five inoffensive but indolent barbarians.

The return journey of the party to Tarsus was diversified by an encounter with a band of negroes, in which the poor blacks were worsted, and their village burned, but the most edifying result of which was the penitential pilgrimage accom-

plished by Michael Rok, the brother of Bothros. In gratitude for this unexpected return, Michael thought it fit to accuse himself at the confessional of all possible sins, and to declare crimes which, if suitably punished, would have condemned him to twenty years of the galleys, completing this act of penance by listening on his knees to a mass of an hour in length. Shortly after the return of the party, the Festival of St. George, the most sacred patron of all the Eastern churches, took place; and M. Langlois was able by his own observation, like Hamlet on the ramparts, to verify the legend of the night walks of the saint's ghost. The "questionable shape" of the apparition emboldened the curious spectator; and a threat of firing upon him dissolved the ghost's mystery, and relieved the people of Tarsus of their long-established annual fear. It is not every Frank traveller who is thus permitted to rescue a credulous people from its delusion and its terror, and M. Langlois was more successful than dragon or paynim in his combat with the Cappadocian saint.

After assisting in a solemn "lion-hunt," — conducted by the Pacha in person, smoking under a tree on his divan, — in which the lion was an ounce, and the ounce, fired at by twenty balls at short range, "still runs," M. Langlois started on his final expedition to the Taurus, and especially to the Kulek Boghaz, or Gates of Cilicia. We have no space to relate the adventures and discoveries of this remarkable journey; — the storm in the mountains, "recommended to all lovers of magnificent horrors"; the capture by Mehemet Aga, "King of the Mountain," and the tantalizing imprisonment in one of his caves; the deliverance through the good offices of Bothros, a former companion of this ferocious bandit; the visit to the castle of Bosanti, the ancient Butrento, with the view of the waterfall and the rainbow; the visit to the grotto of the "Seven Sleepers," the genuineness of which is disputed by a grotto at Ephesus, and by another in Algiers, with the legends connected by Christian and Moslem with this story; Nemroun, once Lampron, with its houses sprinkled over a vast hill-side; the "Valley of Hell," where they met no devils; the deserted Mopsucrene, where Constantius II. died; and the defile of the Kalah-Dagh, where our traveller

found a remarkable plant, called by the Turks "Snake-grass." This plant, from three to five feet high, is crowned with a purple cup, like a horn, from which a quadrangular pistil, like a sword-blade, projects. The exterior is of green, spotted like the skin of a snake. The plant, which seemed to M. Langlois so wonderful that he gives it a special description, is evidently nothing more than the well-known *Arum maculatum*.

The defile of the Kulek-Boghaz, the most important of all the passes of the Taurus, has been famous from the earliest ages. Xenophon, in his Anabasis, describes very accurately its present appearance. Quintus Curtius mentions the capture of its castle by Alexander the Great. Pescennius Niger, the imperial usurper, fortified the pass with walls and towers. By the Crusaders the pass was called the "Gates of Judas." The present fortifications, immensely strong, are the work of Ibrahim Pacha, and have given to the pass the proverb, "Who fears not the Boghaz does not fear God." The modern constructions have quite obliterated the ruins of the ancient forts.

We close our notice of the able and interesting work of M. Langlois by a sketch of a holy father whom he met in the mountains, — one of those charming and characteristic portraits with which the book is enlivened.

"Quitting Bosanti, we took our way over the farm of Bothros, following frightful paths which belted the cliffs, and which, after an hour's march, came out on an old Roman way, which we followed, in spite of the difficulties of its disjointed and broken pavement. By a kind of compensation, I found on the sides of this ancient road some profane funeral monuments; and, like Dante in his way through Purgatory, we saw frequently, in their sarcophagi, imaginary shades who pointed out to us the inscriptions recalling their name, their functions, their virtues. Farther on, on this same way which formerly the Roman legions travelled, stood out the skeleton of a colossal arch of triumph, which, according to the tradition, Constantine raised in the journey which he made in this part of his empire. Near this antique monument is a khan as bare and as desolate as all the Turkish establishments of this kind which I have seen and occupied. An Armenian monk had taken possession of it, and was crouching before the fire: we seated ourselves at his side. The wallet of this good father was puffed out like a bottle; it contained

roast meats, chickens, game, hard eggs, a bottle of raki, &c. His mountain rambles had not been without fruit, every one being eager to contribute to his benefit; so he lived like a satrap, the holy man! He confessed to us that, stranger as he was to all the affairs of this world, he had no other care than to drink, to eat, to sleep. The poor man! His chin fell in a triple fold upon his broad chest, and surely it would have been impossible for me to embrace the majestic rotundity of his abdomen."

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ART. III. — *Poems.* By ELIZABETH BARRETT BROWNING. In Three Volumes. New York: James Miller. 1861. 32mo.

READING "Lady Geraldine's Courtship," or "Aurora Leigh," before the grass is green on Elizabeth Browning's grave, is not favorable to a critical estimate of the poet or her works. The patient years of suffering, the persistent will, the steadiness, strength, and purity, the labors and attainments of this extraordinary woman, come before us in stately procession; and were it not for the touching record of her love, and of her death in the arms of love, we could almost wish that her dream had been realized, and that she might have been something other, and — if she would have it so — something more than a woman. But inasmuch as she was a great woman, she was greatly a woman; and if she exceeded her sex in strength and aspiration, it was only to foreshow what a woman may gain in her proper sphere, — not in another, — and to assure us that no soul of man, however high, needs lack a companion to strengthen and complete, as well as to beautify, his life.

Before entering upon the discrimination which the life and labors of Elizabeth Barrett Browning suggest, it is meet to pay a tribute to what she did, and to the spirit in which she wrought. Of all women of her day, she was most a laborer in the fields which are trodden by the feet of men. A form frail as a lily's was endowed with the will of a giant. This will dragged her slight frame through the furrows of toil, side by side with her brother-men. Like them, she dug in the mines of classic lore, with such results as are possible only to

heroic spirits of either sex. To will and persistency she added the perceptive delicacy and retentive power which characterize her sex. In women generally, these faculties, though wonderfully subtile and helpful within a certain sphere, are limited by the softer fibre which pervades the female mind as well as body. The will corresponds; it is swift, but it is also fitful. Eminently subjective, — as all a woman's qualities are, — it is self-distrustful, apt to be dissuaded and characterized by the pliancy of impulse as distinguished from the poise of reason. But Mrs. Browning's will was so strong, and she was so isolated by circumstances from the influences that usually mould a woman, that she became, in a remarkable degree, self-sustained; — not, as we shall see, becoming in any respect more or less than a woman, but capable of labors which few women could perform, yet in performing which she never encroached upon the manly sphere, whatever her desire to prove that sphere to be common ground, and no field of trespass. She wrought always in a woman's spirit and in a woman's way. How affecting it is to see her striving against physical infirmity! Bowed upon her bed, while life flickered more feebly than the lamp beside her, she wrestled with the sinewy Greeks, and strove in spirit on Olympus. She *would not* die, and for her mission, which was before her, though she discerned it not, she was prepared, and lived to fulfil it.

Of her merely literary style we care to say but little, and still less of its faults. She was in haste to be understood, and, so that she gained clear expression, was careless of the flower-beds and the borders. Her style is consequently strong and clear, but uneven, and often abrupt. A sentence or paragraph occasionally limps a little after the hastening thought. A degree of stiffness is also sometimes given by a pet word, — coined for her own use, or obsolete, or picked up in an old book, — that suits the metre, or the humor of the writer. A carelessness of rhyme is also not infrequently to be regretted, even in a fine passage. But let all praise be awarded to the general *purity* of her vocabulary. Few, if any, writers of the age use a diction so strongly Anglo-Saxon. Indeed, in a careful comparison of eminent English and American writers, from Chaucer to the present time, — taking an example from each, —

Mrs. Browning's "Cry of the Children" was found to contain ninety-two per cent of Anglo-Saxon words, — a proportion greater than in Spenser, Shakespeare, or Milton, and exceeded only by Chaucer and by the translation of St. John's Gospel.

There are certain faults in Mrs. Browning's style, arising from the false position in which she tried to stand, and to which, with a strange concealment of them from herself, and by stress of habit, she clung to the end. These faults — to which we shall have further need to refer — were, under the circumstances, peculiarly feminine, and consisted in a strutting gait, a pertness of expression, a consciousness of what she was doing, and a somewhat ostentatious estimate of her powers. In the same category, a little pedantry is discernible, hardly to have been avoided where there was so much Greek. These are the principal exceptions to a style of composition otherwise eminently sturdy and expressive, free from redundancy, suggestive, brilliant, and sometimes almost sublime. What she saw in nature she observed, loved, remembered, and reproduced. But her sphere was the inner mind, rather than the external world; and probably the enforced seclusion of her life strengthened this tendency. Thus, by reason of her surroundings, as well as of her womanly nature, feeling, rather than observation, distinguishes her poetry, and a feeling all the purer and more intense because it owes so little to garnish.

Mrs. Browning's strong Saxon style was the fitting garment of her healthful and unhackneyed thoughts. It is the principal merit of her poetry that it rises so far above the conventionalism of female writers, from Hannah More down to the Honorable Mrs. Norton. All things are pure to her, and with unhesitating frankness she gives the utterances of nature. She was an artist, and her creations lie naked in the pure marble from which she chiselled them. Their freshness even startles us. Yet this beautiful clarity, — abrupt, sometimes, as a laugh, shriek, or sudden gush of waters, — though deeper than form or style, is itself the product of that love of truth, for the truth's sake, which is indispensable to the highest development of art. Art, like the sacred Scriptures, is "of no *private* interpretation," but can be expounded only upon the

broadest principles of truth, — truth not only objective, (which is easier to see,) but subjective; not only external, but essential; not only that which feeds complacency, but that which tends to shame, disappointment, and even self-exposure. We have no recollection of man or woman who deals so honestly with self, or who follows a truth so regardlessly of personal consequences, as Mrs. Browning. As her works are, by the necessity of her sex, mostly subjective, this honesty is especially admirable. It has resulted in an artistic triumph, though the fair sculptor "builded better than she knew." She has left a perfect statue of herself, a service to womanhood and to the world which cannot easily be over-estimated. Whatever inconsistencies belong to woman, and whatever are incidental to the conflicting position in which Mrs. Browning placed herself, — between the impulses of her sex and the avocations of the other, — are transparently exposed in her own creations. It may be that she was conscious of some of these inconsistencies. But if she was, she would not evade the dilemma; for her loyalty to truth was never exceeded. She repeatedly scorns immunity because of weakness, incapacity, or sex; and in this differs from all other women of her class. It is difficult to discover in her writings a single assertion of feminine privilege. She accepts the consequences of competition.

> "This vile woman's way
> Of trailing garments shall not trip *me* up.
> I 'll have no traffic with the personal thought
> In art's pure temple."

> "Let no one till his death
> Be called *unhappy*. Measure not the work
> Until the day 's out, and the labor done;
> Then bring your gauges. If the day's work 's scant,
> Why, call it scant; affect no compromise;
> And in that we have nobly striven at least,
> Deal with us nobly, women though we be,
> And honor us with truth, if not with praise."

> "If I fail, why, burn me up my straw
> Like other false works, — I 'll not ask for grace,
> Your scorn is better."

This heroism appears frequently in her writings; and were

it not that she unconsciously reveals the feminine source and subsoil of the martial flower,

> "whose hue, angry and brave,
> Bids the rash gazer wipe his eye,"

we might believe that here was a man in woman's form. But, indeed, love — and proper woman's love, though of the noblest kind — was the source of all; as she sang, —

> "I love love! truth's no cleaner thing than love.
> I comprehend a love so fiery hot
> It burns its natural veil of august shame,
> And stands sublimely in the nude, as chaste
> As Medicean Venus. But I know
> A love that burns through veils will burn up masks,
> And shrivel up treachery. What, love and lie!
> Nay, go to the opera! your love 's curable."

Thus Nature spoke, inspiring the prophetess. Love is the soul of the gentler sex, even as truth is of the stronger.

A discriminative American critic characterizes the author of "Aurora Leigh" in the following terms: —

"Mrs. Browning is an honor to her sex, and no member thereof can fail to derive advantage from the spirit of her muse. It speaks words of 'heroic cheer,' and suggests thoughtful courage, sublime resignation, and exalted hope. At the same time, we cannot but feel her incompleteness. We incline to have faith in less systematic phases of woman's character. There is a native tenderness and grace, a child-like play of emotion, a simple utterance, that brings more genial refreshment. We do not depreciate Mrs. Browning's lofty spirit and brave scholarship. They are alike honorable and efficient; but sometimes they overlay nature, and formalize emotion, making the pathway to the heart rather too long and coldly elegant for quick and entire sympathy. Yet this very blending of sense and sensibility, learning and love, reason and emotion, will do much, and has already done much (as we can perceive by recent criticisms) to vindicate true sentiment, and a genuine devotion to the beautiful. . . . . Could we not trace the woman beneath attainment and reflection, our admiration might be excited, but our sympathies would not awaken."

The moral difference between the sexes is not an accidental or unessential matter, which can be altered by education, or corrected by discipline. It is necessary, radical, and most unchangeable. It consists in opposite and complementary qual-

ities. If it were otherwise, the sexes could never meet, much less unite. The great apostle of the (so-called) New Church, who mingles mysticism and philosophy so profoundly in his teachings, speaks of these essentially distinct and immiscible characteristics as follows: —

"Many believe that women can perform the duties of men, if they are initiated therein at an early age, as boys are. They may, indeed, be initiated into the practice of such duties, *but not into the judgment on which the propriety of duties interiorly depends;* wherefore such women as have been initiated into the duties of men are bound, in matters of judgment, to consult men; and then, *if they are left to their own disposal, they select from the counsels of men that which suits their own inclination.* Some also suppose that women are equally capable with men of elevating their intellectual vision, and into the same sphere of light, and of viewing things with the same depth; and they have been led into this opinion by the writings of certain learned authoresses; but these writings, when examined in the spiritual world in the presence of the authoresses, *were found to be the production, not of judgment and wisdom, but of ingenuity and wit;* and what proceeds from these, on account of the elegance and neatness of the style in which it is written, has the appearance of sublimity and erudition, yet only in the eyes of those who dignify all ingenuity by the name of wisdom. In like manner, men cannot enter into the duties proper to women, and perform them aright, because they are not in the affections of women, which are altogether distinct from the affections of men. . . . . The two affections of the woman and the man cannot be united except (as subsisting) between two, and in no case (as subsisting) in one."

The finely-grounded and expressive word by which early English writers defined the highest mental attribute — *discourse*, or *discourse of reason* — contains in itself the elementary distinction between the masculine and feminine mind. It was used by that master of English, John Milton, to express this difference. It is the fashion to devise contradictions of the instituted axioms of great minds, in order to show how far superior we in these days are to them. This propensity has reduced inconsiderate and inconsiderable scribblers to great straits, where, happily for the world, they often stick fast, and wriggle out their unimportant life unobserved. Persons of this class are very apt to refuse honor to an authority like Milton. But not even the temptation of proving our-

selves wiser than he was should hinder the acknowledgment, that he characterized the essentials of the sexes with unerring and absolute fidelity. That universally known but inimitable passage beginning,

"Two, of far nobler shape, erect and tall,"

contains more than all our modern sentimental philosophers have evolved in their "reams of folly."

It is not our purpose to enter now upon this interesting and important subject further than to state the distinction in nature between the masculine and feminine mind which is illustrated by every effort, of either sex, that has character enough to command respect. The one is discursive, the other intuitive; the one is rational, the other impulsive; the one deals with wisdom, the other with love; the one is comprehensive, the other conservative. There are men who are like women, and women who are like men; but their qualities are not interchangeable, and there is ever a limit within the proper characteristics of each where the resemblance stops. It might be expected that the mental efforts of the sexes would be characterized respectively by an objective and subjective tendency. This we accordingly find to be universally true. Mrs. Browning is no exception; but she vindicates her sex, in all her writings, by an intense and subtile subjectivity.

Mrs. Browning's great success is in her failure. She undoubtedly set before herself the task, not so much to elevate woman in the sphere which she is supposed to occupy, as to prove that she has no exclusive sphere, but may make any attainment which is possible to man. Possessed by the fallacy that the intellect is superior to the heart, and that woman must be inferior to man, if incapable of his great scope of reason, she attempted to show that the remedy was within reach of her sex. Who cannot lament the beautiful insanity which glowed in the sonnet to George Sand, entitled, "A Recognition"?

"True genius, but true woman! dost deny
Thy woman's nature with a manly scorn,
And break away the gauds and armlets worn
By weaker women in captivity?
Ah, vain denial! that revolted cry

> Is sobbed in by a woman's voice forlorn: —
> Thy woman's hair, my sister, all unshorn,
> Floats back dishevelled strength in agony,
> Disproving thy man's name; and while before
> The world thou burnest in a poet's fire,
> We see thy woman heart beat evermore
> Through the large flame. Beat purer, heart, and higher,
> Till God unsex thee on the heavenly shore,
> Where unincarnate spirits purely aspire."

Did she dream that God, who made such a beautiful creation, would deny his wisdom and work to "unsex" it? Is it weakness to acknowledge a "woman's nature," — or is it "manly scorn" in a woman to deny it? But the cure came to Elizabeth Barrett, though perhaps she never acknowledged it for all that it was. Her intellectual attempt was truly a failure, as far as it sought competition with men. But it was a glorious success, as a higher illustration than was ever otherwise afforded of what a woman is, and of what she may do in her own exalted and luminous sphere.

There is no philosophy in "Aurora Leigh." It is rather a playing with philosophy, — an acute and imitative handling of the tools of the masculine workman. We have seen a tender-handed woman enter her husband's shop, and mimic his handicraft with femininely stern countenance, and little sinews resolutely strung, until, weary of the uncongenial work, she threw down the implements, and stood in the grace of her sex, — lovelier for the pantomime. So do the long, dashing, and rather pert discoursings of Aurora Leigh end in the true woman's argument, — "because." If we are a little startled at first by the careless way in which she lays about her with the edged tools of reasoning, we speedily have the satisfaction of seeing that they are harmless in her hands, and that we have our woman yet. Nothing can be more womanly than these argumentative passages. Impulsive, inconsistent, illogical; abounding with saucy "sirs," and with smart sayings; often swaggering, and not infrequently scolding outright; — they are like a brisk game of foils, and would be amusing if the fair fencer were not so mortally in earnest, so aggressive, and so determined to receive no quarter. Nothing is so far from our purpose as to use the terms by which

we have characterized these passages offensively. Some of the qualities thus enumerated are, as we have stated, evoked by the poet's false position. She is in the wrong, primarily, — not necessarily wrong in the argument, but in arguing at all, — and she resorts with the utmost unconsciousness to the weaker weapons of the sex. Besides, the most genuine subjectivity pervades every attempt. The woman could not reason except from within. Hence the greater and external arcana were unrevealed to her, and must remain so. A consequence, amounting to a deformity, was an assuming egotism, at once as far from feminine as from manly perfection. It would take too much space to justify this criticism by quotations; but reference may be made to the second and eighth books of "Aurora Leigh," as illustrating almost all these faults and peculiarities. It is most instructive to see, after all, how inevitably this extraordinary poem ends in a love story, and one so beautiful, and, with the exception of a few muscularities, so feminine. The finest passage in the poem is its culmination of love. The writer's soul is in it.

> "I flung closer to his breast,
> As sword that after battle flings to sheathe;
> And in that hurtle of united souls,
> The mystic motions which in common moods
> Are shut beyond our sense broke in on us,
> And, *as we sate, we felt the old earth spin,*
> *And all the starry turbulence of worlds*
> *Swing round us* in their audient circles, till,
> If that same golden moon were overhead,
> Or if beneath our feet, we did not know."

An extended review of Mrs. Browning's poems is not here contemplated. "She sang the song of Italy"; she wrote "Aurora Leigh." The latter is doubtless her greatest work, when its scope is considered. It does not contain as many fine passages as a collection of her minor poems, equal to it in bulk, would include. But it comprises numerous paragraphs of great power and beauty, and is remarkable as the only example of a sustained, complete, and symmetrical epic from the pen of a woman. Among the other longer poems, we will speak of only two: "A Drama of Exile" and "Casa Guidi Windows." Both are worthy of her reputation, but

the first is chiefly valuable for its unconscious transparency. It is a clock-work of feminine qualities set in crystal. Otherwise, if judged objectively, as we judge the "Divina Commedia," or "Paradise Lost," it is deformed by self-importance. The subject is the expulsion of Adam and Eve from Eden. Such a theme is eminently Salic, and in that spirit Mrs. Browning perhaps intended loyally to treat it. But she is not to be blamed if she was nauseated, long before, by the heartless and apish twaddle about Mother Eve, and the eternal chargeableness of human suffering to her curiosity. On the supposition that the narrative in Genesis is to be taken literally, Eve acted just like a woman, and what man in his senses could wish her to have acted otherwise? If the narrative is parabolic, the same remark is true. It appears that Adam, in his sublime sorrow, was content with his mate,— followed her in her sin, and led her forth from the abode of blessedness to toil with her, and for her,—

> "thanking Thee,
> That rather Thou hast cast me out with *her*,
> Than left me lorn of her in paradise."

The quotation is from Mrs. Browning's poem, which contains several charming touches of nature and feeling, and by no means disguises or palliates the supposed fault of the first woman. Eve tells her husband of her deep debasement, first bidding him,

> "Kiss on my lips,
> To shut the door close on my rising soul,
> Lest it pass outwards in astonishment
> And leave thee lonely."

Then: —

> "Let me lie so,
> And weep so, as if in a dream or prayer,
> Unfastening, clasp by clasp, the hard, tight thought
> Which clipped my heart, and showed me evermore
> Loathed of thy justice as I loathe the snake,
> And as the pure ones loathe our sin. To-day,
> All day, beloved, as we fled across
> This desolating radiance cast by swords,
> Not suns, my lips prayed soundless to myself,
> Striking against each other: 'O Lord God!'
> ('T was so I prayed,) 'I ask Thee by my sin,

And by thy curse, and by thy blameless heavens,
Make dreadful haste to hide me from thy face
And from the face of my beloved here,
For whom I am no helpmeet, quick away
Into the new, dark mystery of death!
I will lie still there, I will make no plaint;
I will not sigh, nor sob, nor speak a word,
Nor struggle to come back beneath the sun,
Where peradventure I might sin anew
Against Thy mercy and his pleasure. Death,
O death, whate'er it be, is good enough
For such as I am. — While for Adam here,
*No voice shall say again, in heaven or earth,*
*It is not good for him to be alone.*'"

Farther on, after much dispute with Lucifer, and after visions of terror and consolation, the excited twain stand discerning the constellations, and with a quaintly explanatory foot-note in the words, "Her maternal instinct is excited by Gemini," the author puts another exquisite utterance in the mouth of Eve. Adam points: —

"Dost thou see
That phantasm of a woman?"

Eve, who never needs suggestion in this poem, but is always, if anything, a little ahead, replies,

"I have seen ——"

and adds: —

"But look off to those small humanities,
Which draw me tenderly across my fear, —
Lesser and fainter than my womanhood,
Or yet thy manhood, — with strange innocence
Set in the misty lines of head and hand,
They lean together!"

Can anything be more charmingly feminine than this passage, — foot-note and all? Eve, recovering from her astonishment of shame, talks at an amazing rate. Adam can scarcely slip in a word edgewise. She discourses on all matters, and fairly shelves her spouse for the time being. That deferential superiority which is so admirably displayed in the treatment of properly disciplined husbands had never a better exemplification. Not satisfied with the way in which Adam is dealing with the wailing spirits that beset them as they wandered from paradise,

Eve proposes to take them in hand. Adam somewhat curtly consents, and she preludes a three-page harangue to the spirits with

> "Thus, then — my hand in thine."

We take this introduction to be inimitable: "My dear — one moment, if you please," — and the little hand shuts down like doom. Uxorious husbands will please bear witness. Of course she talks well, and accuses herself at such a rate, that Adam at length interposes, "will not hear her speak so," and manifests a disposition to "pitch into" the spirits on her account. But she, justly confident of superior skill in managing these subtle agencies, waves him back, and continues her speech. She succeeds, as so many of her sex have since done, — be it said reverently, — in raising the Devil, who again comes on the scene, and curses in a truly diabolical manner. Then there is much movement and colloquy of spirits, skilfully and dramatically handled, and at last Christ appears, and is immediately adopted and immensely patronized by Eve, who bids him, "Speak on," *adding* his name, in a manner far more familiar than respectful. She interjects, "O pathetic Christ!" and "O pale, pathetic Christ!" as by encouragement, while he proceeds; declares that her nature overcomes her; and accepts, in a speech of a page,

> "For me and for my daughters this high part,
> Which lowly shall be counted."

Most true to nature is this immediate sympathy of the female heart with Jesus Christ; ever tending upward, clinging to that which is above it, and showing its affinity with the divine love that always heals, upbuilds, and recovers, but never destroys, — that will not break the bruised reed, nor quench the smoking flax. With this divine tendency, linking man's coarser nature to heaven, earthly foibles are conjoined; and Mrs. Browning, whose Eve was not more of a woman than herself, brings out the latter somewhat "larger than life." With much that is fine, and a whole that is artistic, the author, in her anxiety to maintain the correlative importance of her sex, makes her Eve out a needlessly garrulous, opinionated, and cunning woman, whose intellect thrashes through the

affections with sharp cuts, making everything red with regulation and discipline, — just the woman to drive a man desperate, and to neutralize love by executive vigor.

"Casa Guidi Windows" is the famous "Song of Italy," and although strongly marked by the woman's subjectivity of stand-point, it is a noble outlook upon priestly oppression, popular suffering, and human rights. It is in two parts, — the first having been written in 1848, and the second in 1851, — and it illustrates, in the author's own words, "the discrepancy between aspiration and performance, between faith and disillusion, between hope and fact." The following lines, which strike our eye in turning the leaves of this poem, may be quoted as a good specimen of Mrs. Browning's power: —

"Yea, I will not choose
Betwixt thy throne, Pope Pius, and the spot
Marked red forever, spite of rains and dews,
Where two fell riddled by the Austrian's shot, —
The brothers Bandiera, who accuse,
With one same mother-voice and face (that what
They speak may be invincible), the sins
Of earth's tormentors before God, the just,
*Until the unconscious thunderbolt begins*
*To loosen in His grasp.*"

In this, and other passages, a quality is discernible that can be designated only by the term Shakespearian.

Mrs. Browning beautifully excuses her faith in "false Duke Leopold," by the confession, —

"I saw the man among his little sons,
His lips were warm with kisses while he swore, —
And I, *because I am a woman*, I,
Who felt my own child's coming life before
The prescience of my soul, and held faith high, —
I could not bear to think, whoever bore,
That lips so warmed could shape so cold a lie."

It is difficult to preserve the tenor of criticism in the presence of such womanliness as this passage presents; and to say, that it unfits its subject for the arena of strife, and proves that *men* must judge men in the administrative duties of the external world.

Two quotations must conclude our hasty notice of this fine

poem. Together they give a good impression of the mingled strength and tenderness of the author's best style. The first is eminently timely, and its length needs no apology.

" A cry is up in England, which doth ring
The hollow world through, that, for ends of trade
And virtue, and God's better worshipping,
We henceforth should exalt the name of peace,
And leave those rusty wars that eat the soul,
Besides their clippings at our golden fleece.
. . . . .
I love no peace which is not fellowship,
And which includes not mercy. I would have,
Rather, the raking of the guns across
The world, and shrieks against heaven's architrave.
Rather, the struggle in the slippery fosse
Of dying men and horses, and the wave
Blood-bubbling.... Enough said! By Christ's own cross,
And by this faint heart of my womanhood,
Such things are better than a peace which sits
Beside a hearth in self-commended mood,
And takes no thought how wind and rain by fits
Are howling out of doors against the good
Of the poor wanderer. What! your peace admits
Of outside anguish while it keeps at home?
I loathe to take its name upon my tongue.
'T is nowise peace. 'T is treason, stiff with doom, —
'T is gagged despair, and inarticulate wrong,
Annihilated Poland, stifled Rome,
Dazed Naples, Hungary fainting 'neath the thong,
And Austria wearing a smooth olive-leaf
On her brute forehead, while her hoofs outpress
The life from these Italian souls, in brief.
O Lord of Peace, who art Lord of Righteousness,
Constrain the anguished world from sin and grief,
Pierce them with conscience, purge them with redress,
And give us peace which is no counterfeit."

Our second quotation is the conclusion of the poem, in which the author calls up her little son, and bids him prophesy.

" The sun strikes through the windows, up the floor:
Stand out in it, my own young Florentine,
Not two years old, and let me see thee more!
It grows along thy amber curls, to shine
Brighter than elsewhere. Now look straight before,
And fix thy brave, blue English eyes on mine,

And from thy soul which fronts the future so,
With unabashed and unabated gaze,
Teach me to hope for what the angels know,
When they smile clear as thou dost. Down God's ways,
With just alighted feet between the snow
And snowdrops, where a little lamb may graze,
Thou hast no fear, my lamb, about the road,
Albeit in our vainglory we assume
That less than we have, thou hast learned of God.
Stand out, my blue-eyed prophet! — thou, to whom
The earliest world-day light that ever flowed
Through Casa Guidi windows, chanced to come!
Now shake the glittering nimbus of thy hair,
And be God's witness, — that the elemental
New springs of life are gushing everywhere
To cleanse the water-courses, and prevent all
Concrete obstructions which infest the air!
That earth 's alive, and gentle or ungentle
Motions within her signify but growth!
. . . . .
But *we* sit murmuring for the future, though
Posterity is smiling on our knees,
Convicting us of folly? Let us go, —
We will trust God.
. . . . .
Such cheer I gather from thy smiling, Sweet!
The selfsame cherub-faces which emboss
The Vail lean inward to the Mercy-seat."

There can be no hesitation in designating the rank of Mrs. Browning. She is the queen of poets. Others of her sex have been as earnest, but no other has come up to her stretch of power. Others have been as limpid, but they had not her depth of clearness. Others have been as tender, but because they had not her power and depth, they have suffused with their tenderness a narrower sphere. Others have been as heroic, for every true woman dares to die; but she bore sword, — not armor, — and took her woman-heart into the field. There was in her nature a certain necessity for the arena, and the competition of the lists. It distinguishes genius, in its feminine as well as masculine outgoings, to live as kings live, before the eyes of men; so that all greatness is common property, and the impulses that in private life are most sacred in royal life cannot be concealed, but are beholden of all. Elizabeth

Browning was the queen of song, and she had all royal impulses, traits, necessities, and circumstances. She was not, indeed, another Shakespeare, but she came nearest to being Shakespeare's counterpart. Nothing can be clearer, however, than that she was a woman, and only a woman. One of the noblest of the sex was not to be proved by development a monstrosity in God's creation. Her greatness made her singular, — "a bright, particular star," — and he must be no common man who could hope to wed it. But conjunctions do "grace the skies." Such a man came at length, and all the fallacies which singleness, superiority, and the long, disappointed look of the great and exacting heart had bred, disappeared like the mists when the sun rises. The story of love, as it lay concealed in the heart of a woman, to rise in overmastering strength at the fulness of time, was never told with a finer art than in "Aurora Leigh." The tale was written, not by Elizabeth Barrett, but by Browning's wife. Far inferior, however, is this imaginative tale, to the true story of the love of the poet's mate, in the Sonnets attributed, by so delicate a fiction, to the Portuguese. We can scarcely forbear extended quotations from them. They are, without competition, the finest love poems in our language, and afford lessons from which every disappointed, unsatisfied heart — every unbeliever in the peculiar greatness of womanhood, every one unmindful of its power to solace and support the soul of man — may gain peace, hope, and the strengthening of faith. Elizabeth Barrett Browning is greatest in these effusions. All her attempted philosophy and philanthropy are merged in her nature's flood. In finding her mate, she found the solution of the life-riddle that had perplexed her, and at which she had guessed so adventurously. Nothing else is so remarkable in these life-throbs of sonnets, as the sweetness of their humility. That is the peculiar quality of love. Where is the strong-minded woman, the would-be reasoner, the competitor for the bays of fame?

> "What hast *thou* to do
> With looking from the lattice-lights at me, —
> A poor, tired, wandering singer? . . . singing through
> The dark, and leaning on a cypress-tree?"

"Is it indeed so? If I lay here dead,
Wouldst thou miss any life in losing mine,
And would the sun for thee more coldly shine,
Because of grave-damps falling round my head?
I marvelled, my beloved, when I read
Thy thought so in the letter. I am thine, —
But . . . *so* much to thee? Can I pour thy wine
While my hands tremble? Then my soul, instead
Of dreams of death, resumes life's lower range.
Then, love me, Love! Look on me . . . breathe on me!
As brighter ladies do not count it strange
For love to give up acres and degree,
I yield the grave for thy sake, and exchange
My near, sweet view of heaven, for earth with thee!"

"How, Dearest, wilt thou have me for most use?
A hope, to sing by gladly . . . or a fine
Sad memory, with thy songs to interfuse?
A shade, in which to sing? . . . of palm, or pine?
A grave on which to rest from singing? . . . Choose."

These passages, which we would gladly multiply, suggest the remark, that, besides the "Sonnets from the Portuguese," some of the minor poems of Mrs. Browning are the purest gems of her genius. Among these we will mention but two, — "Inclusions" and "Insufficiency," — forbearing quotation. The heroic tenderness of a woman's heart never found deeper expression than these little fragments afford.

The "Sonnets from the Portuguese" embody about all that the poet has left on record of the birth of her love for her husband. It is enough to say that those who looked for something in them proportioned to their writer's greatness of heart are more than satisfied. A romantic but incorrect account of the first acquaintance of Miss Barrett with Robert Browning has found its way into Appleton's Encyclopædia, and thence into many of the notices which have been written of her. It is stated that Browning, calling to thank her for a compliment to himself, and being entirely a stranger, was shown by chance into her sick-chamber, and came out her lover. We have the authority of a member of the family for saying that no such thing ever happened. At the time that Mr. Browning's attention was drawn to the allusion to his "Pomegranates" in "Lady Geraldine's Courtship," — with the fine fancy

of which he was so justly pleased, — Elizabeth Barrett was indeed an invalid, but at her father's house, surrounded by every comfort that love could devise, and in circumstances under which nothing like an intrusion into her chamber could by any possibility have occurred. The poet made an acknowledgment of the compliment paid him, in a note, — not, indeed, immediately, but somewhat tardily, — and was subsequently admitted to an interview. Their marriage took place two years afterward. The newspaper accounts of her death are more accurate, and, although meagre in thrilling details, are suggestive of that oneness of heart and life to which the happy two were appointed, and prophetic of the more perfect unity which awaits them in heaven. Never were man and woman more clearly ordained for each other than Robert Browning and Elizabeth Barrett. They were imperfect apart; together, they were rounded into one.

We may as well here correct the widely prevailing impression that Miss Barrett was obliged to struggle with poverty. On the contrary, Mr. Barrett was in good circumstances, and his daughter had no want unsupplied. This fact, far from detracting from her fame, should add to its lustre. There is, indeed, a certain merit in becoming great or learned in spite of the disabilities of poverty. But the disabilities of wealth are greater, and less frequently surmounted. It is truly a wonder that Elizabeth Barrett should have accomplished her noble work under the double burden of physical infirmity and pecuniary opulence.

It may be asked, Of what use is this criticism of the life and work of one of the noblest of women? Men need no proof that woman's sphere is emotional, impulsive, and domestic; and, thank God, the women that most brighten life need it still less. There are some, indeed, who are like wandering stars, and it would be hopeless to attempt defining an orbit for them. If a woman thinks she can reason, she can never be convicted, so that no demonstration can avail with this class. Let them go. We have not written for them, for we could not help them if we would. Doubtless they must fume their little hour ungracefully away. But God has not left the sexes mutually helpless. Even as men can some-

times *feel* what a woman's tenderness is, so woman can oftener *understand* what a man's reasons are. And hereby it is evident that we do not degrade or underrate woman, when we say that she is not, distinctively, a reasoning, but an impulsive being. For what is our reason, if it is not illuminated by her love? Moreover, her heart stands in the masculine mind; her beauty much more than adorns our strength. It is, then, the fullest acknowledgment that men can make of the equality of woman, when they submit even the highest exercitations of their reason to her approval. They would be barren without her. Love is not inferior to wisdom, but is at least co-ordinate with it. Impulse is not less than reason, but rather the intuition to which its long and labored processes are an indirect and weary road.

> "And so these twain, upon the skirts of Time,
> Sit, side by side, full-summed in all their powers."

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ART. IV. — *Montrose, and other Biographical Sketches.* Boston: Soule and Williams. 1861. 12mo. pp. 400.

THIS little work contains four sketches: La Tour, Brummell, Johnson, and Montrose. The last named fills more than two thirds of the whole volume. The subject of it is the celebrated James Graham, Marquis of Montrose; and it is of him that we purpose to write in this article.

But first let us frankly bear testimony to the author's candid and impartial manner of estimating character, as well as to his ready sympathy with all that is truly generous, brave, and noble, and his undisguised scorn of all that is base, tortuous, and underhand in the conduct of the leading men of both parties. Far from being carried away into indiscriminate condemnation of the partisans of royalty, he justly makes allowances for the influence exerted over their actions by the circumstances of birth, habit, and education, — knowing well how to distinguish between self-sacrificing, devoted loy-

alty, which nobly defends the just prerogatives of an unfortunate sovereign, and that blind, unreasoning obedience which renders itself the willing tool of authority, whether justly or unjustly exercised. Neither does he forget, in his strictures upon the more aggressive acts of the Scottish Covenanters, that their intolerance was in a great measure produced by the injustice and persecution which they had previously endured.

The language and general style of the book are, however, by no means pleasing. The former is often affected, and the latter is deficient in ease and polish. Take, for instance, the following sentence: "Here, to this camp at Bothwell, came messengers from King Charles (two of them), coming by different routes, to make sure of the arrival of one at least." There is a superfluity of such ill-constructed periods. We will take a hasty glance at the active career of the great Marquis, and, when occasion requires it, the author shall speak for himself.

By birth and position Montrose was essentially an aristocrat, destined to play a prominent part on a very stormy stage. But his education, his connections, and the influence of his friends, all tended to make him in early life a partisan of the Kirk, and not of the king. Returning in the year 1636 from his travels on the Continent, "he found," says our author, "a distracted country. The long struggle between the kings of Scotland and its Kirk had at last come to the verge of open quarrel." The King, Charles I., was bent upon governing the Church, and making himself the supreme and unquestioned head of it. The people, on the other hand, were resolved to maintain the independence of their Kirk, and to resist the introduction of the liturgy, and of episcopal forms in general. It was necessary that the young Earl should take sides with the one party or the other. Neutrality was altogether out of the question: his illustrious descent and his strong positive nature alike forbade it. "Not Lord Napier only," we read, "but many other friends of Montrose, too, were the determined opponents of Episcopal rule; and the young Earl himself, born of Presbyterian parents, and reared in that faith, went forward undoubting, in aid of religion and

just liberties." Having made his choice, Montrose became a strenuous and fearless advocate of the popular cause; honest, straightforward, uncompromising, but not disloyal. His object was not to overthrow the king's authority, but to restrain it within lawful bounds.

In this respect, as in many others, we trace a striking resemblance between Montrose and his noble English contemporary, Lucius Cary, Lord Falkland. Both enjoyed all the advantages of rank, wealth, and a liberal education. Both achieved a reputation for dauntless courage in the hard-fought field. Both possessed accomplishments beyond the generality of men, even in their own rank. Alike distinguished in their youth by ardor and unselfishness, both entered early upon the arena of public life, and set their faces boldly against all unlawful exercise of the power of the crown; but when the crown itself was endangered, and the people became aggressors in their turn, both ranged themselves on the side of the king, and eventually lost their lives in his service.

A braver or a better man than Falkland never drew sword in King Charles's cause. Clarendon speaks of him as "a person of such prodigious parts of learning and knowledge, of that inimitable sweetness and delight in conversation, of so flowing and obliging a humanity and goodness to mankind, and of that primitive simplicity and integrity of life, that, if there were no other brand upon this odious and accursed civil war than that single loss, it must be most infamous and execrable to all posterity." Hume, also, eloquently records his shining talents, winning manners, and splendid virtues; telling us how, while contending, sword in hand, for his sovereign, he was still anxious for his country, seeming to dread "the too prosperous success of his own party as much as of the enemy; and among his intimate friends, often, after a deep silence and frequent sighs, he would with a sad accent reiterate the word, Peace." Again, the same historian says that, "In excuse for the too frequent exposing of his person, which seemed unsuitable in a Secretary of State, he alleged that it became him to be more active than other men in all hazardous enterprises, lest his impatience for peace might bear the imputation of cowardice."

In personal courage Falkland equalled Montrose; but the latter surpassed the English nobleman in military skill and in fertility of resource. Some tinge of jealousy of his hated rival, Argyle, did doubtless lend a keener edge to the sword of the Scotch Marquis; but Falkland, we believe, was entirely uninfluenced by personal considerations. Though the conduct of Montrose was usually distinguished by humanity, especially toward a conquered foe, yet Falkland excelled him in sweetness of temper and suavity of manners. Falkland was by nature fitted for cool deliberation and sage counsel, though possessing a courage which, when the occasion arose, enabled him to play right nobly the part of a gallant soldier. Montrose was formed for action, prompt and decisive. Born to command, he seemed intuitively to understand how to manage the wild and rather heterogeneous troops that fought under his standard; but he could brook no rival in the camp, and his deportment was marked by a *hauteur* which showed that he was accustomed to be implicitly obeyed. To quote once more from Hume: "It was merely by an heroic effort of duty that he brought his mind, impatient of superiority and even of equality, to pay such unlimited submission to the will of his sovereign." The Great Marquis was certainly not a perfect character, yet his faults were those of a noble and truthful nature; and in him and the gallant Falkland we recognize the two brightest ornaments of the royal cause.

So long as the Covenanters contented themselves with acting on the defensive, and aimed at nothing beyond the enjoyment of liberty of conscience and of their favorite mode of worship, Montrose remained their faithful adherent in council and their able general in the field; but when, emboldened by their own success and the weakness of the king, they began to show an intolerant disposition, declaring Episcopacy "illegal and contrary to the word of God," and seeking to impose the Covenant upon all the people of Scotland, attacking at the same time the prerogatives of the king, then indeed "he became doubtful of their right."

In his letter "On Sovereign Power," he expresses sentiments of a decidedly conservative tone. He liked the cause of the Covenant well enough, but he was daily becoming more

suspicious of its leaders, above all, of Argyle. He believed that, under the cloak of zeal for the Kirk, they hid dark designs of their own. He longed to see the king and his people once more united. "The most fierce, insatiable, and insupportable tyranny in the world," he says, "is the tyranny of subjects, where every man oppresseth his neighbor, and there is no hope of redress from a prince despoiled of his power to punish oppressors. . . . . In a politic consideration, the king and his people are not two, but one body politic, whereof the king is the head; and so far are they from contrariety and opposite notions, that there is nothing good nor ill for the one, which is not just so for the other."

The author of this volume, commenting on the above, justly remarks that "we shall do well to bear in mind that this letter 'On Sovereign Power' was written two hundred years ago; and that fashions of thought, like other fashions, change from time to time. We should also call to mind, that it was written by one born to an earldom. 'My house,' said the Marquis of Huntley, 'has risen by kings of Scotland; it has stood by them, and with them it shall fall.'" Montrose might with equal justice have used the same language. Some such considerations did, doubtless, occupy his mind during the long winter months of 1641–42, when he was living quietly in Angus; having, as our author remarks, "time enough for reflection on the course and tendency of affairs in Scotland, which had certainly changed much since he, at the convention of 1637, first took part in the popular movement." He had, moreover, suffered grievous injuries at the hands of Argyle and his party; he had endured a five months' imprisonment; he had been "accused of treason to Kirk and country, and of perjury; he had also been denied a public trial, which he had asked for so often; and he felt himself deeply wronged by these accusations, and still more by being debarred from a public refutation of them."

For some time Montrose remained inactive, — being loath, as we can readily believe, to appear in open hostility against the party whose cause he had early adopted, and so far faithfully served; yet unwilling to go all lengths with them; distrustful of their leaders; distrustful also of Hamilton, the

king's unworthy representative in Scotland; and, in turn, himself distrusted both by Hamilton and the Covenanters. There seemed to be no fair field of action for him. The king and the Covenanters both sought to gain him, and made overtures to him; but experience had rendered him cautious, and he hesitated to commit himself by any sudden and overt act. He wished "to reconcile loyalty to the Kirk with loyalty to the king"; but this appeared no longer possible. In this dilemma, he held a conference with Alexander Henderson, "the ablest and best of the ministers of the Kirk," a man by no means inclined to advocate extreme measures. The Marquis's main object was, if we may believe his friend and biographer, Dr. Wishart, "to learn what were the real purposes and projects of the Covenanters." The results of this conference not proving satisfactory to him, he broke it off without committing himself to any decided line of policy; "and here," says our author, "in the month of June, 1643, ended the connection of James, Marquis of Montrose, with his Covenanting countrymen."

Soon afterward came events which put an end to his doubts. In the autumn of 1643 the Solemn League and Covenant was formed between the Scottish Kirk party and the Non-conformists in England. Then came the raising of an army in Scotland, to aid the English rebels against the king. The conduct of Hamilton became more than ever treacherous. Montrose, "indignant, and unable to remain any longer inactive, posted away to the king with the news," and openly denounced Hamilton as a traitor. An inquiry ensued, resulting in the disgrace and imprisonment of Hamilton; and Montrose, being now taken into the king's favor and confidence, may be said to have fairly embarked in the royal cause. His short campaign in the North of England, and his irruption into the South of Scotland, which miscarried through the failure of promised co-operation, are familiar to every reader of history; as also are the circumstances of his romantic escape into the Highlands, in the disguise of a groom, — an enterprise which Montrose himself characterizes as "very desperate, and yet the best which remains for the king's service."

The Marquis, now Royal Lieutenant-General for Scotland,

had long entertained the idea that "the best way to keep the Scots out of England was to make work for them at home"; and he at once began to act energetically upon this idea. Forming a junction with some ill-armed and worse disciplined Irish troops under Allaster McDonald, and with the men of Athol and some others, amounting in all to about three thousand, he gave battle, at Tippermuir, near Perth, to the army of the Covenanters, eight thousand in number, commanded by Lord Elcho. A strange panic seized upon the Covenanters, who, hardly waiting for the onset of their wild foes, fled ignominiously from the field, hotly pursued by the victors, who slew one fourth of their number, and captured all their cannon, ammunition, and baggage. It soon became evident to the Covenanters that the king's lieutenant was a man of no ordinary abilities, and that it was time to bestir themselves in earnest.

The position of Montrose, however, was by no means an enviable one. Although the arms and ammunition taken at Tippermuir had enabled him to provide for the most pressing wants of his troops, still the men themselves were almost unmanageable. The Irish, indeed, appear to have clung faithfully to their leader. The retreat to their own country had been cut off by Argyle, who had succeeded in destroying their ships; they therefore had no other alternative than to follow the fortunes of Montrose. The Highlanders, brave and hardy, were nevertheless suited by nature and habit rather to guerilla warfare than to steady military operations. Success is often more destructive than adversity to the discipline of an army composed of such materials. Abundant proof of this may be found in the history of Montrose's short but brilliant military career. His troops heeded not the toilsome march over rug ged mountain or bleak moorland. Inured to hardship and constant exposure, they could dispense with tents, and almost all that is usually comprehended in the term baggage. Their movements were swift, noiseless, and stealthy, like those of beasts of prey. Their sudden and unexpected appearance in regions from which they were believed to be many leagues distant went far to unnerve their slower and more methodical foes, who, on many occasions, showed themselves wanting in

that cool and steady courage which, when well directed, has always proved more than a match for the wildest efforts of undisciplined valor. These Highlanders had wrongs of their own to avenge; and they fought against Argyle and his colleagues with all the bitter animosity of personal foes. They loved the sudden raid into the enemy's territory, the furious hand-to-hand combat, and the hasty retreat to their mountain fastnesses with the spoils of the vanquished. So long as they were marching in quest of the foe, the strong hand of Montrose sufficed to restrain them in some appearance of order; but the battle once over, they were more anxious to secure booty than to follow up their success. Thus it came to pass that the victories of Montrose were more splendid than profitable. "He failed," says an ancient historian, "to secure the great passes of the kingdom," so that he gained no ground upon his enemies, but often had to beat a hasty retreat after an apparently decisive victory. Had he possessed a few thousand disciplined infantry upon whom he could always have relied, and a few squadrons of cavalry, for action in the open country, he might not only have routed, but altogether annihilated, the forces opposed to him. As it was, however, he did wisely in avoiding the plains.

The skill with which he availed himself of every advantage that the ground offered, the celerity and secrecy of his movements, the uniform success of his attempts to divide his foes when in pursuit of him, the suddenness with which he would turn upon them when so divided, and cut them up in detail, — all mark him as one of the ablest leaders of the age.

Clarendon tells us that Montrose "was, in his nature, fearless of danger"; that he "never declined any enterprise for the difficulty of going through with it, but exceedingly affected those which seemed desperate to other men"; and, again, that he "performed as wonderful actions in several battles, upon as great inequality of numbers, and as great disadvantages in respect of arms and other preparations for war, as hath been performed in this age." He united the impetuous ardor of Rupert with the wariness of Cromwell; and had it not been for the total inadequacy of his means, he would have proved a formidable rival to the great Oliver himself.

Let us briefly notice the dates of, and some of the circumstances attendant upon, the most remarkable of his military achievements. On the 24th of August, 1644, Montrose arrived at the house of Tulliebelton, near the Tay, between Perth and Dunkeld. On the 1st of September he routed the army of the Covenanters at Tippermuir. On the 8th he summoned the city of Dundee, but without effect, and so passed northward, in the direction of Aberdeen. On the 12th or 13th he again defeated the Covenanters, under Lord Burleigh, and took Aberdeen by storm. On the 14th he was again on the move, and encamped at Kintore. Then, becoming aware of the advance of the enemy in force, he retired to Kildrummie, where he expected to be joined by reinforcements from the clan Gordon. Disappointed in this matter, he buried his cannon in a morass, and, "divesting his little army of all hindrances to rapid motion, started on that career of marches to and fro which filled all Scotland with wonder and terror." This is what Baillie refers to in his letter as "that wild coursing thrice round about from Spey to Athol, wherein Argyle's and Lothian's soldiers were tired out." On the 17th of October he was again in the neighborhood of Aberdeen; on the 21st, at Strathbogie, where his supply of ammunition began to fail. A few days afterward, we find him in a strong position around Fyvie Castle, where Argyle came up with him, and made two furious attempts to dislodge him, both of which proved fruitless. On the last day of October, Montrose returned to his old quarters at Strathbogie; and here he was deserted by many of his adherents. Early in November he again reached the Spey; and then, hearing that Argyle, weary of pursuing him, had gone into quarters at Dunkeld, he once more crossed the Grampian Hills, and hastened to attack him. Argyle, however, had a wholesome fear of his untiring foe; and, making tracks for the Lowlands, he rested not until he reached Edinburgh, where he and Lord Lothian resigned their commissions.

At Blair-Athol, Montrose was rejoined by Allaster McDonald, with recruits from the West. He was now in a position to strike his ancient enemy a home blow. His followers were actuated more by hatred to Argyle than by loyalty to the

king, and were clamorous for a raid into the country of the Campbells. On the 11th of December, this little Highland army was at Loch Tay. From this point, the road into Argyle was rugged in the extreme. The author of these sketches has given a brief but vivid description of the march of Montrose.

"The month was December, and the way, difficult at the best of times, was now at its worst; for the tramp was through untrodden snows; but Angus McAilen Duibh knew the pass. A wild march surely: in single files long drawn out by the rough shores of lakes, through glens and deep ravines, up the steep hill-sides, along the edge of giddy precipices, now hidden, now emerging, — I see them on their winding way, — a winding way and a perilous; for a few hundred determined men well placed in these mountain-passes would have been fatal to the invaders; but such men were not there. The Campbells' old boast, 'T is a far cry to Lochow,' had made them careless of invasion; and Argyle himself, then at his castle of Inverary, did not dream of danger till shepherds from the hills with news that Montrose was there, roused him to flight." — pp. 251, 252.

Separating into three bands, the invaders wasted the lands of Argyle with fire and sword, from the middle of December until the latter part of January, by which time the enemies of Montrose had gathered in force, determined to intercept him on his return. But the Marquis outmanœuvred them all. "On Friday, at morn, he started from the shores of Loch Ness, and after tramping forty miles and more through this wild, rough, hilly region, all covered with snow, he, winding round the northern skirts of Ben Nevis (highest Ben in Scotland), came out, late on Saturday, in view of Loch Eil," — on whose shores, near the castle of Inverlochy, the troops of Argyle were encamped. This Saturday was the 1st of February, 1645. On the following morning was fought the battle of Inverlochy, which ended in the total rout of Argyle's troops, and the ignominious flight of their chief, who escaped in a barge. The indefatigable Montrose marched northward, in quest of another army of Covenanters, under Lord Seaforth, which army, however, disbanded of its own accord. On the 19th of February, the Marquis reached Elgin, whence he issued a proclamation, calling upon all loyal subjects to repair to his standard. On the 9th of March, he was again in the vicinity of Aberdeen.

He next moved southward toward Dundee, which city he took by storm. He retained possession of it for a few hours only, for the Covenanters, under Generals Baillie and Urrey, were close upon him with a much superior force; and Montrose had only just time to get his men clear of the town. Closely pursued by the enemy's cavalry, he still conducted the retreat in good order, outmarched General Baillie, who had attempted to cut off his return to the hills, and at last got safe into the fastnesses of the Grampians.

It now became a matter of the first importance to recruit his diminished army. He accordingly despatched some of his most trusty officers into the North and West on that errand, and, retaining only six hundred men about his person, marched rapidly up and down the Highlands; causing thereby constant alarm and uneasiness to the Covenanters, who never knew where his next blow would fall. On the 9th of May, he again came into collision with the enemy, under Sir John Urrey and others, at the village of Aulderne, between Elgin and Inverness. Once more the Covenanters were discomfited, with heavy loss and a total scattering of their army. After a few days' rest, Montrose sought the banks of the Spey, General Baillie being at this time at no great distance from him on the other side of the river. But as usual after victory, Montrose's Highlanders returned to their homes, and he was compelled to resume his "wild coursing round about the Highlands," pursued by Baillie, who came up with him at last at Alford Hill, near the banks of the Don. Many of the Marquis's best officers were absent, but he, nothing daunted, gave General Baillie so warm a reception, that he was glad to escape with a portion of his cavalry; the rest of his army being all slain or hopelessly dispersed. This was on the 2d of July, 1645.

The greatest of Montrose's victories was that of Kilsyth, where, after another long chase, he was attacked by the Covenanters under Baillie, who, it appears, fought rather unwillingly, being urged thereto by Argyle and others. Montrose had posted his little army on very strong and well-chosen ground, with still stronger ground at a short distance behind him, to which he could retreat in case the day went against

him. Prudent, as well as courageous, he trusted nothing to chance. This battle was very much like the others in its leading details. The Covenanters attacked, were repulsed and thrown into confusion; were, in turn, furiously assailed by the Irish and Highlanders, and, at last, driven from the field with a dismal slaughter. "In this way," says our author, "with small means, Montrose, in six battles all within a twelvemonth, conquered Scotland, and earned his title, 'The Great Marquis.'"

This may be considered as the culminating point of his fortunes. Many noblemen and others, of doubtful loyalty before, now made a show of friendship toward the king's cause. No army of any magnitude remained in the field to dispute the way. Glasgow, Edinburgh, and Linlithgow submitted to the victor's authority, and on the 1st of September he received a new commission as Lieutenant-Governor and Captain-General of Scotland, with powers to summon Parliaments. He also received orders to march southward, form a junction with the Earls of Home, Roxburgh, and Traquair, and hasten forward to the Tweed. But the Highlanders and many others of his adherents left him and returned to their homes, and he was compelled to proceed with a sadly diminished army, consisting mainly of Irish. On his arrival in the southern shires, he was disappointed of the expected succors in almost every instance; and soon he received the unwelcome intelligence that Leslie was marching northward to attack him. On the morning of the 13th of September, the little army of Montrose was surprised at Philiphaugh, near Selkirk, by General Leslie, with an overpowering force of cavalry, and, after a brief and hopeless struggle, utterly routed. Montrose himself, seeing that all further efforts were useless, made his way through the enemy, with a few faithful friends, and escaped into the Highlands.

For several months he maintained an unequal struggle against his implacable foes; but many of his best friends had died on the field of battle, or had fallen into the enemy's hands, and the king's cause was at its lowest ebb, both in England and Scotland. At length, Charles, acting on the conviction that any further efforts on the part of Montrose would only lead to useless effusion of blood, commanded him to lay

down his arms, and betake himself to the Continent: and so, on the 30th of July, 1646, the sword which had so long been a terror to the king's enemies in Scotland was quietly sheathed in obedience to the royal mandate, and the brave Marquis took leave of his army. On the 3d of September, with a few of his principal adherents, he embarked at Stonehaven on board a small vessel bound for Bergen, in Norway.

Such is a hasty sketch of the military career and achievements of Montrose, in recapitulating which we have adhered as closely as possible to the narrative of the author of this little work, — often using his very words, the better to display the spirit and general tenor of the book. The remaining chapters are devoted to a relation of the events which befell the unfortunate Marquis while living in exile; to the details of his second ill-fated expedition to the North of Scotland in 1650, and of his execution at Edinburgh on the 21st of May in the same year.

The book concludes with the following tribute to the memory of Montrose: "This life, ending on the gallows, was not what men call a successful one; nevertheless, on it, and others like it, stand orders of nobility to this day; and when such basis altogether fails, then shall fall, not orders of nobility only, but higher and better things." And, indeed, a life which displays so much courage, constancy, and self-sacrifice, though apparently a failure at the time, is yet far from futile. Cold must be our hearts, and sordid our souls, ere we can contemplate the careers of men like Montrose and Falkland without emotions of the warmest admiration, even though our sympathies may be with the cause in which the equally noble Hampden fought and died!

The stately reserve and rather haughty manners of Montrose made him less popular among his equals in rank than he might otherwise have been; but his few intimate friends appear to have been warmly attached to him, and his soldiers loved as well as respected him. In his intercourse with them he was always affable, kindly, and generous. His faults were such as are almost inseparable from a position and career like his. He was by no means devoid of vanity. Bishop Burnet tells us how, when the king sent the Prince of Orange to confer

with him as to the method by which he proposed to regain a footing in Scotland, he "entertained him with a recital of his own performances, and of the credit he was in among the people; and said the whole nation would rise if he went over, though accompanied only by a page." But the same historian bears testimony to his noble constancy and fortitude, even *in extremis*. "His behavior," says the Bishop, "under all that barbarous usage, was as great and firm to the last; looking on all that was done to him with a noble scorn." Clarendon says: "He was not without vanity, but his virtues were much superior, and he well deserved to have his memory preserved and celebrated amongst the most illustrious persons of the age in which he lived." His enemies have accused him of cruelty, and in support of their allegation have pointed to the great slaughter which usually attended his victories in the Highlands. But an examination of contemporary records leads us to believe that he made no greater slaughter on those occasions than was necessary for his own safety and the attainment of decisive victory. Regard must also be had to the wild nature and semi-savage habits of the troops under his command. Restrained with difficulty at the best of times, they were altogether uncontrollable in the hour of victory. The Marquis himself solemnly avowed that he had spilt no blood but in the heat of battle, and that no hair of Scotsman's head, that he could save, ever fell to the ground. We incline to think that clemency toward the conquered ought to be ranked among the foremost of his virtues. Certainly he had greater claims to the possession of that estimable quality than could be established in behalf of Leslie and those pitiless fanatics of the Scotch Kirk, by whose instigation the Irish prisoners at Philiphaugh were treacherously butchered in cold blood.

Let us contrast the behavior of Montrose, in this particular, with that of another leader of the same name, also a partisan of the Stuarts, though at a rather later period; we mean Graham of Claverhouse, Viscount Dundee, the terrible scourge of the unfortunate Covenanters during the reigns of Charles II. and James II. Macaulay denounces him as a man whose name is even to this day pronounced by Scots, in all parts of the globe, "with a peculiar energy of hatred." Yet, ac-

cording to Smollett, "he possessed an enterprising spirit, undaunted courage, inviolable fidelity, and was peculiarly qualified to command the people who fought under his banner." Sir Walter Scott describes him as "uniting the seemingly inconsistent qualities of courage and cruelty; a disinterested and devoted loyalty to his prince with a disregard of the rights of his fellow-subjects." All readers of Scott will remember the lifelike picture of Claverhouse which he has given us in the pages of "Old Mortality," — the slight, but graceful form, the oval face whose features were almost effeminate in their delicate regularity, the dark hazel eyes, the beautiful mouth, the profusion of long brown locks adorning "a countenance such as limners love to paint, and ladies to look upon." Yet, under this gentle exterior, made still more fascinating by extraordinary suavity and polish of manners, lay concealed the courage of Epaminondas or Alexander, combined with the ruthless cruelty of Nero. He seemed insensible to the sufferings of others; or, what was worse, he took a savage delight in them. Such exceptional characters sometimes occur in history, and the American reader will at once recall the dashing Tarleton.

By the side of these men's deeds, the greatest severities of Montrose appear lenient. There were no such glaring inconsistencies in his conduct. Whether we contemplate him in prosperity or in adversity; at the head of a victorious army, or extricating his wild troopers from peril after the storming of Dundee; surrounded by deputations from humbled cities, or undergoing on the scaffold the last penalties of the law, as interpreted by his implacable foes, — we still find him the same: cool, steadfast, dignified, more sparing of others than of himself.

A succinct biography of such a man cannot fail to be interesting, as well as instructive. We are not aware that a Life of Montrose has heretofore existed in a form likely to be attractive to the general reader. We therefore think that every one who peruses this little volume will feel obliged to the author and the publishers for having supplied the deficiency.

ART. V.—1. *Religio Medici, A Letter to a Friend, Christian Morals, Urn-Burial, and Other Papers.* By SIR THOMAS BROWNE, KT., M. D. Boston: Ticknor and Fields. 1862. 16mo. pp. xviii. and 440.

2. *The Works of* SIR THOMAS BROWNE. *Including his Unpublished Correspondence, and a Memoir.* Edited by SIMON WILKIN, F. L. S. London: W. Pickering. 1836. 4 vols. 8vo.

THE writings of Sir Thomas Browne are but little known in this country. No American edition of his complete works has ever been published; and probably few persons even among those most familiar with English literature have read any of his productions, except the "Religio Medici," and perhaps the tracts on "Christian Morals" and on "Urn-Burial." Yet his name is generally recognized as one of the greatest in the literary history of the seventeenth century. He was not merely a close student of nature, and a skilful and thoroughly educated physician, enjoying a large reputation among his contemporaries; but he was also a ripe scholar in several departments of literature, a sound and ingenious reasoner, and an eloquent writer. For these reasons, among others, we are glad to see so copious a selection from his works as this now before us, for which we are indebted to the taste and judgment of Mr. James T. Fields, one of the publishers of the volume. For the preparation of such a volume Mr. Fields is peculiarly qualified by his long and intimate acquaintance with the writings of Sir Thomas Browne, and by his hearty appreciation of their learning and eloquence, their wit and wisdom. It is perhaps needless to repeat here what was said in a notice of this edition in our last number, but we cannot refrain from adding, that the editor has performed his task in a manner worthy of very high praise. He has brought together nearly everything from Browne's writings which an ordinary reader will care to possess; he has bestowed much care on the text; he has made a judicious selection from the notes of previous editors; and he has prefixed a graceful memoir from his own pen. In his endeavor to produce an edition of Sir Thomas

Browne's miscellaneous works which shall satisfy every demand of the most fastidious critic, he has been skilfully seconded by the conductors of the University Press at Cambridge; and it is not too much to say that the book is in every respect worthy of their well-established reputation as tasteful and accurate printers, and is one of the choicest specimens of American typography. More than this we need not add: less than this we cannot write of a volume which we have examined with unmixed satisfaction.

To those who desire a complete copy of Browne's writings, the edition prepared by Mr. Simon Wilkin, and first published about twenty-five years ago, is still indispensable. This edition was the result of more than ten years of careful study and research, and is an honorable monument to the patient industry of the editor. It comprises, with the exception of a few unimportant papers, everything which Browne is known to have written, collated with several original manuscripts, and illustrated by a numerous body of notes, together with editorial prefaces to the various works, Dr. Johnson's memoir of the author, and a supplementary memoir by the editor. Nothing which a strong admiration of the author's character and writings could suggest as likely to add value to this edition was omitted by Mr. Wilkin; and it is not probable that a more comprehensive or a more richly annotated edition will ever be published.

Beside these and the early editions of Browne's writings there have been several excellent editions of the "Religio Medici," and of some of his minor productions, both in England and in this country, — among which may be named those of Mr. J. A. St. John and Mr. Henry Gardiner in England, and of the late Rev. Alexander Young of this city; but it does not fall within our present design to speak of their distinctive characteristics, though it is impossible to omit all reference to them.

The life of Sir Thomas Browne has little to distinguish it from the lives of other physicians. Though he lived during the memorable period of the English Revolution, and was a stanch royalist, he took but a small part in public affairs; and the interest which we feel in his personal history is derived

from our acquaintance with his inner life, rather than from any events in his social experience. It will be in accordance with our purpose in this article, however, to consider his writings under the light which is reflected on them from his life and character.

His biographers have not been able to discover any particulars in regard to his ancestry except the facts that his paternal grandfather belonged to an old and respectable family in Upton, Cheshire, and that his father was engaged in trade as a mercer in Cheapside, London. Here Thomas, who was the youngest of four children, was born on the 19th of October, 1605. Shortly afterward his father died, leaving a considerable fortune for those days, of which nearly two thousand pounds are said to have fallen to the share of the youngest son; but this sum was soon lost by the dishonesty of one of his guardians. He was, nevertheless, sent at an early age to the grammar school at Winchester, founded by Lord Chancellor Wykeham, from which he was removed in the beginning of 1623 to Pembroke College, Oxford. Three years afterward he received his degree as Bachelor of Arts, being, as one of his biographers remarks, the first man of eminence graduated at this College. In 1629 he was made Master of Arts, and about the same time he began the practice of medicine in Oxfordshire. Here he is supposed to have remained about two years; and at the expiration of that period he accompanied his mother's second husband to Ireland. Finding little to interest him among the Irish, he next visited the Continent, and spent some time in travel and study in France, Italy, and Holland. In the latter country he seems to have remained long enough to attend the medical lectures in the University of Leyden, from which institution he received his diploma as Doctor of Medicine.

On his return to England, when he was about twenty-eight years old, he established himself as a physician at Shipden Hall, near Halifax. While he was engaged in his profession at this place, according to some accounts, he wrote the "Religio Medici"; but if this statement is correct, it is probable that considerable additions were made to the work during the seven or eight years which elapsed before it was printed. In

1637, he was induced by his friends to remove to Norwich; and in July of the same year "he was incorporated Doctor of Physic, in Oxford." In 1641, being then in his thirty-sixth year, he married Dorothy, fourth daughter of Edward Mileham, Esq., an influential gentleman of the neighborhood. By this lady he had twelve children, the eldest of whom, Dr. Edward Browne, acquired a high reputation for his scientific attainments, and, not long before his father's death, was made physician to Charles II. Another son entered the navy, and on several occasions gave evidence of much courage and skill. To this circumstance may be ascribed the interest which Sir Thomas seems to have taken in the accounts of naval battles, and his evident fondness for the sea.

The year following his marriage is memorable in his history for the surreptitious publication of the "Religio Medici." This work had been previously circulated somewhat extensively in manuscript, and several transcripts slightly differing from one another are still extant. From one of these copies the first edition was printed, as Browne himself avows, without the knowledge or consent of the author. The book was rapidly sold, and soon attracted the favorable notice of the Earl of Dorset, who strongly commended it in a letter to his friend, Sir Kenelm Digby, a writer of considerable reputation in his own age, but now best known as the unfortunate lover of Venetia Stanley. The result of Digby's examination of the volume was the preparation of certain strictures, which are now commonly printed as an Appendix to Browne's essay. Immediately on learning that his critic intended to publish these observations, Browne addressed a letter to him stating that the piece was written for himself, "rather than as an exercitation for another," and had been very incorrectly printed, but that within a few weeks he should "deliver unto the press the true and intended original." Accordingly, in 1643, he published, in a small octavo volume of a hundred and ninety pages, the first acknowledged edition of the "Religio Medici." Since that time more than twenty editions have appeared in England and in this country; and at a very early period the work was translated into Latin, French, Dutch, German, and Italian.

From the great variety of subjects discussed in the essay, and the want of method in their arrangement, as well as from the numerous personal details which are mixed up with the main argument, it is extremely difficult to give a satisfactory analysis of it, or to characterize it in general terms; and it is perhaps scarcely necessary to make the attempt. We may remark, however, that the discourse is divided into two parts, the first treating of Faith and its objects, and the second setting forth the importance of Charity, in the large sense in which St. Paul used the word. Among the themes discussed in the first part are the folly of disputes in religion, the wisdom and eternity of God, the inconsistency of unbelief, the nature and evidence of miracles, the feelings with which death should be regarded, the resurrection and day of judgment, and other cognate subjects. In the second part the author considers the motives of charity, its objects, the various forms in which it is exhibited, and its rewards. Paradoxical in expression, and with "an appearance of vacillation and irresoluteness," which, as Mr. Hallam justly observes, "probably represents the real state" of its author's mind, the book is nevertheless one of the most delightful and suggestive productions of its kind in the language; and it well deserves the popularity which it has enjoyed for more than two hundred years. Over both of its divisions are thrown the charms of learning, wit, and eloquence, joined with much intellectual acuteness, and a spirit of sincere devotion. Yet in his Preface Sir Thomas writes, that from his first putting pen to paper he did not have access to any good book to promote his invention or to relieve his memory. In respect to style it is superior to either of his later works. In different parts of it occur many incidental remarks, which throw light on the character of his mind, and the extent of his acquirements at this period of his life. For instance, at the very outset he writes: —

"I am, I confess, naturally inclined to that which misguided zeal terms superstition. My common conversation I do acknowledge austere, my behavior full of rigor, sometimes not without morosity; yet at my devotion I love to use the civility of my knee, my hat, and hand, with all those outward and sensible motions which may express or promote my invisible devotion. I should violate my own arm rather than

a church; nor willingly deface the name of saint or martyr. At the sight of a cross or crucifix I can dispense with my hat, but scarce with the thought or memory of my Saviour. I cannot laugh at, but rather pity, the fruitless journeys of pilgrims, or contemn the miserable condition of friars; for though misplaced in circumstances, there is something in it of devotion. I could never hear the Ave Mary bell without an elevation; or think it a sufficient warrant, because they erred in one circumstance, for me to err in all, that is, in silence and dull contempt: whilst therefore they directed their devotions to her, I offered mine to God, and rectified the errors of their prayers, by rightly ordering mine own. At a solemn procession I have wept abundantly, while my consorts, blind with opposition and prejudice, have fallen into an access of scorn and laughter."

Again, near the close of the essay, he writes: —

"For my own part, besides the jargon and *patois* of several provinces, I understand no less than six languages; yet I protest I have no higher conceit of myself than had our fathers before the confusion of Babel, when there was but one language in the world, and none to boast himself either linguist or critic. I have not only seen several countries, beheld the nature of their climes, the chorography of their provinces, topography of their cities, but understood their several laws, customs, and policies; yet cannot all this persuade the dulness of my spirit unto such an opinion of myself as I behold in nimbler and conceited heads, that never looked a degree beyond their nests. I know the names, and somewhat more, of all the constellations in my horizon; yet I have seen a prating mariner, that could only name the pointers and the north star, out-talk me, and conceit himself a whole sphere above me. I know most of the plants of my country, and of those about me; yet methinks I do not know so many as when I did but know a hundred, and had scarcely ever simpled further than Cheapside."

The animadversions of Sir Kenelm Digby, as we have already remarked, were based on an imperfect copy of the work, and were composed within a little more than twenty-four hours after receiving the volume; but with some slight qualifications they are not less applicable to the essay in the shape in which it is familiar to us. They are for the most part metaphysical in character, and are sometimes ingenious and pointed, though too often vague and unsatisfactory. While Digby, who was a recent convert to Romanism, recognizes the learning and

eloquence of the book, and admits that the author "showeth a great deal of judicious piety in making a right use of the blind zeal that bigots lose themselves in," he stoutly assails Browne's orthodoxy in respect to several doctrines of the Church and the schools, but he does not directly charge him with indulging in atheistical speculations.

The charge of an atheistical tendency was, however, early and often brought against the book, and though no one now pretends that it has any solid foundation, it is not difficult to discover the grounds on which such a charge may be based. In a work not originally designed for publication, but intended merely as an exercise for himself, it was natural that a writer so egotistical and so outspoken should give free expression to every doubt by which he might be even momentarily assailed. This he undoubtedly did; but it is certain from his own language that these casual expressions are not to be regarded as the statement of deliberately formed opinions. The book, he writes in his Preface, "was set down many years past, and was the sense of my conception at that time, not an immutable law unto my advancing judgment at all times; and therefore there might be many things therein plausible unto my passed apprehension, which are not agreeable unto my present self. There are many things delivered rhetorically, many expressions therein merely tropical, and as they best illustrate my intention; and therefore also there are many things to be taken in a soft and flexible sense, and not to be called unto the rigid test of reason." Again, in the "Pseudodoxia Epidemica," he writes that it is "reasonable for every man to vary his opinion according to the variance of his reason, and to affirm one day what he denied another." That he had no sympathy with any form of blank denial is equally clear from his own explicit declarations. "Atheism is the greatest falsity," he writes, "and to affirm there is no God, the highest lie in nature." It is also to be observed, that his doubts are almost without exception on points of minor importance, while the whole tenor of his writings shows that he was a firm believer in the essential truths of Christianity. He even went so far as to place on record the declaration that he thought there "are not impossibilities enough in religion for an active faith."

Undoubtedly in respect to the experimental sciences he was inclined to question every fact which had not been clearly proved, or which did not in his opinion rest on irrefragable authority; but he was not disposed to carry this sceptical habit of mind into the domain of religious thought. Here he was more the victim of superstition than of scepticism; and his gravest scientific errors may be traced to his belief that they are taught in the Bible.

Four years after the appearance of the first edition of the "Religio Medici," Browne again came before the world as an author, and published the first fruits of his scientific researches, under the title of "Pseudodoxia Epidemica, or Enquiries into very many received Tenets and commonly presumed Truths, which examined prove but Vulgar and Common Errors." This is by far the most elaborate of his productions, and though it is now but little known, it must always stand as a splendid monument to his erudition and his earnest love of truth. It is, indeed, open to criticism in several respects. Many of the opinions advanced are crude and unfounded; words are of frequent recurrence which are now excluded from respectable society; and questions are freely discussed which are not now mooted outside of a medical college, or which are too puerile to deserve serious consideration. But the method throughout shows that the author relied in scientific matters on actual experiment, rather than on the commonly received opinions, and that he brought to his task a mind of great acuteness. As Mr. Buckle observes, though perhaps with somewhat of exaggeration, — "This able and learned production has the merit of anticipating some of those results which more modern inquirers have obtained; but it is chiefly remarkable as being the first systematic and deliberate onslaught ever made in England upon those superstitious fancies which were then prevalent respecting the external world."

The work is divided into seven Books, of various degrees of interest and ability, but each of them containing much curious and instructive matter. The First Book forms a general introduction, and treats of the causes of common errors, which are unfolded in eleven chapters. Among these causes are included the common infirmity of human nature, false de-

duction, credulity and supinity, the obstinate adherence unto antiquity and authority, and Satan, the chief promoter of false opinions. The next two Books are devoted to an examination of various popular, but erroneous, notions concerning mineral and vegetable bodies and concerning animals. The Fourth Book treats of some popular errors respecting the physical structure of man, and of other cognate topics. The Fifth Book comprises strictures on the manner in which various objects or events are commonly represented in pictures, and on a few popular customs and opinions, as that uninstructed children would naturally speak the primitive language of the world, and the like. The next Book deals with some curious, though still less important questions, "cosmographical, geographical, and historical," as, for instance, to what circumstance the Red Sea owes its name, why negroes are black, and whether the world was thinly peopled before the flood. The last Book relates mainly to questions of Scriptural interpretation, such as the popular notion that there was no rainbow before the flood, that the Tower of Babel was erected against a second deluge, and to questions in profane history.

Many of the questions thus discussed are extremely trivial, and from their general character it is not surprising that the book is much less eloquent and much less attractive to the great majority of readers than the "Religio Medici." But even if the writer's plan had permitted much scope to his imagination, his frequent introduction of new words needlessly derived from Latin roots would still have been a scarcely less serious blemish on his style than his frequent obscurity. It was his first intention, indeed, to print his observations in Latin, and in the Preface he makes some remarks on style, which may be cited in this connection, as showing the theory on which his later writings are composed.

"Our first intentions," he writes, "considering the common interest of truth, resolved to propose it unto the Latin republic and equal judges of Europe, but, owing in the first place this service unto our country, and therein especially unto its ingenuous gentry, we have declared ourselves in a language best conceived. Although I confess the quality of the subject will sometimes carry us into expressions beyond mere

English apprehensions. And, indeed, if elegancy still proceedeth, and English pens maintain that stream we have of late observed to flow from many, we shall, within few years, be fain to learn Latin to understand English, and a work will prove of equal facility in either."

Fortunately for the purity of the language, this Babylonish dialect, as it has been very happily called, has found few admirers; and even Dr. Johnson, whose style was vitiated by his admiration of Sir Thomas Browne's writings, is compelled to admit that it is "a tissue of many languages, a mixture of heterogeneous words, brought together from distant regions, with terms originally applied to one art, and drawn by violence into the service of another."

The publication of the "Pseudodoxia Epidemica" gave Browne a great reputation both at home and abroad; and the work was soon translated into Dutch, German, and French. In England several editions were called for, in most of which much new matter was incorporated; and during the next ten or twelve years he appears to have been engaged in frequent correspondence with learned men, and to have added largely to his stores of recondite knowledge. In 1658 he published another volume, comprising two of his most celebrated works: "Hydriotaphia; Urn-Burial; or, a Discourse of the Sepulchral Urns lately found in Norfolk"; and "The Garden of Cyrus; or the Quincuncial Lozenge, or Net-Work Plantations of the Ancients, artificially, naturally, mystically considered." The first of these is one of the best-known and most popular of his productions, and has been more frequently reprinted than any of his other writings, except the "Religio Medici." As Dr. Johnson observes in his memoir of Browne, — "There is perhaps none of his works which better exemplifies his reading or memory. It is scarcely to be imagined how many particulars he has amassed together in a treatise which seems to have been occasionally written, and for which, therefore, no materials could have been previously collected." With a profusion of learning, he describes the funeral rites celebrated among the nations of antiquity, and the various methods of cremation or burial adopted by them, with numerous impressive and admirable remarks on immortality and the fear of death. The work abounds in passages of grand and solemn eloquence,

relieved occasionally by a lighter tone, and must always stand at the head of the special department of literature to which it belongs. "The Garden of Cyrus" is a more fanciful production, and is perhaps the most curious of Browne's writings. With a perverse ingenuity which has never been surpassed, he finds a quincuncial arrangement everywhere in nature and art, and in every part of the essay he exhibits the amplitude of his learning and the liveliness of his fancy. It must be confessed, however, that the book is more curious than valuable, and that its most splendid bursts of eloquence have very little connection with the subject of which he treats. Many of the most eloquent passages, indeed, might be readily transferred to the "Religio Medici," or to the "Hydriotaphia," without any apparent violence to the context.

These two works were the last that were published during Browne's life; but he did not remain idle. Beside carrying on an extensive correspondence on scientific questions, and making numerous experiments, he composed and carefully revised several minor essays, which were found in manuscript after his death, and subsequently printed. But of his personal history during this part of his life very little is known. One authentic anecdote, however, has been preserved, which shows that, notwithstanding his deservedly high reputation as a man of science, he cherished some very absurd notions. Among these was a firm belief in demonology and witchcraft. "For my part," he writes in the "Religio Medici," "I have ever believed, and do now know, that there are witches. They that doubt of this do not only deny them, but spirits: and are obliquely, and upon consequence, a sort, not of infidels, but atheists." Accordingly, in the famous trial of Amy Duny and Rose Cullender before Sir Matthew Hale, in 1664, he was summoned as an expert in demonology. On this occasion he gave a decided opinion that the defendants had practised witchcraft, adding, that "in Denmark there had lately been a great discovery of witches, who used the very same way of afflicting persons by conveying pins into them, with needles and nails." This testimony, it is believed, decided the case; and since that time there has been no execution for witchcraft in England.

His unfortunate testimony in this case did not, however, prevent his receiving a diploma as an Honorary Fellow of the Royal College of Physicians, in the following year; and six years afterward, on occasion of a visit of Charles II. to Norwich, he was knighted by that monarch. These honors were, indeed, only the visible expression of the respect in which his scientific attainments were universally held. Of his home at this period we have a pleasant sketch by John Evelyn, who, in October, 1672, visited Norwich on purpose to see "that famous scholar and physician, Dr. T. Browne."

"Next morning," he writes, in his Diary, "I went to see Sir Thomas Browne (with whom I had sometime corresponded, though I had never seen him before); his whole house and garden being a paradise and cabinet of rarities, and that of the best collection, especially medals, books, plants, and natural things. Amongst other curiosities, Sir Thomas had a collection of the eggs of all the fowl and birds he could procure, that country (especially the promontory of Norfolk) being frequented, as he said, by several kinds which seldom or never go farther into the land, as cranes, storks, eagles, and variety of water-fowl. He led me to see all the remarkable places of this ancient city, being one of the largest, and certainly, after London, one of the noblest of England, for its venerable cathedral, number of stately churches, cleanness of the streets, and buildings of flint so exquisitely headed and squared, as I was much astonished at; but he told me they had lost the art of squaring the flints, in which they so much excelled, and of which the churches, best houses, and walls are built."

Here, in the prosecution of his scientific and literary studies, and in the assiduous practice of his profession, the closing years of his life glided away, unmarked by any outward occurrences, except such as belong to the experience of most persons of mature years. His death occurred on the 19th of October, 1682, the anniversary of his birth, and was occasioned by an attack of colic, which terminated fatally after a short and severe illness. "Some of his last words," says Dr. Johnson, on the authority of Whitefoot, "were expressions of submission to the will of God, and fearlessness of death." He was buried in the church of St. Peter Mancroft, at Norwich, and a mural monument was placed on the south pillar of the altar by his wife, who survived him about three years. Of

their large family of children only one son and three daughters were living at the time of his death.

Not long after this event the first selection from his manuscripts was published by Archbishop Tenison, under the title of "Miscellany Tracts." It consists of thirteen essays, several of which were probably intended for a new edition of the "Pseudodoxia Epidemica." Among them are papers on certain plants mentioned in the Bible, on the "fishes eaten by our Saviour with his Disciples after his resurrection from the dead," on hawks and falconry, on languages, on the situation of certain places mentioned in Scripture, and on the Oracle of Delphos. The last piece in the collection, and, so far as we know, the only purely comic piece ever written by Sir Thomas Browne, is entitled "Musæum Clausum, or Bibliotheca Abscondita: containing some remarkable Books, Antiquities, Pictures, and Rarities of several Kinds, scarce or never seen by any Man now living." As its title indicates, it is an amusing catalogue of imaginary books, pictures, and curiosities, which no one can read without a smile at the sharp wit of the writer who thus satirizes some of the absurd notions current at the time when the list was drawn up.

A few years afterward, in 1690, his son, Dr. Edward Browne, brought to light, and published in a folio pamphlet, another little essay, entitled "A Letter to a Friend upon Occasion of the Death of his intimate Friend." This production has all the peculiarities of Browne's style and habits of thought, and we are glad to see that it has been included in Mr. Fields's selection. Its philosophical tone, its curious erudition, and its occasional passages of animated eloquence, render it one of the most attractive of his minor writings. It is professedly addressed to a particular person on a special occasion, but it constantly passes from the statement of an individual experience to the discussion of more comprehensive themes and broader relations.

In 1712 another volume of "Posthumous Works" was published by Curll, the bookseller, containing some antiquarian notes on Norwich Cathedral, under the title of "Repertorium," a short and characteristic paper entitled "Particulars of some Urns found in Brampton Field," a short correspond-

ence with Sir William Dugdale, and several miscellaneous essays similar in character to those previously printed by Archbishop Tenison.

Four years after the publication of this volume, Browne's daughter, Mrs. Littleton, gave to the press another of her father's unpublished works, the discourse on "Christian Morals," which was subsequently reprinted with a memoir by Dr. Johnson, and is the source whence Cowper derived much of his inspiration. It differs from Browne's other works in being much less eloquent, and in exhibiting very little imagination; but it is marked by a lofty tone and a just appreciation of the true grounds on which moral obligations rest.

Some previously unpublished papers, beside extracts from his commonplace books, and a very extensive correspondence with the members of his own family and other persons, are contained in Mr. Wilkin's edition of his works. Of these papers it is only necessary to say that the correspondence is perhaps the least interesting series of letters that we have ever met with, and that it throws very little light either on the personal history and character of Sir Thomas Browne, or on the public transactions of the stormy period during which he lived. It is true that his own letters afford occasional glimpses of his mode of life, and sometimes show what subjects occupied his thoughts. But most of them are hard reading, and those addressed to him are equally uninteresting. A few characteristic passages from his letters to his children are all that need be quoted here. In a letter to his youngest son, who was then in France, he writes: "Hold fast to the Protestant Religion, and be diligent in going to church when you have any little knowledge of the language. God will accept of your desires to serve him in his public worship, though you cannot make it out to your desires; be constant, not negligent, in your daily private prayers, and habituate your heart in your tender days unto the fear and reverence of God." In another letter to the same he writes: "I would be glad you had a good handsome garb of your body, which you will observe in most there, and may quickly learn if you cast off *pudor rusticus*, and take up a commendable boldness, without which you will never be fit for anything, nor able to

show the good parts which God has given you. I would think it very happy if you had more Latin, and therefore advantage yourself that way if possible; one way beside learning from others will be to read the Scripture or chapters thereof daily in French and Latin, and to look often upon the grammars in both languages." To his oldest son, who was travelling on the Continent, he writes: "Have always some physic treatise to read often, lest this variety of objects unsettle the notions of it." In another letter he advises his son to "take notice of the various animals, of places, beasts, fowls, and fishes; what the Danow affordeth, what depth, if conveniency offers; of mines, mineral works, &c." And finally he asks him in another letter to "inquire what tree that is of which they make musical instruments; a white waved wood which is called *ayre*, and said to come from Germany."

For our knowledge of his personal character and habits we are mainly indebted to the brief sketch drawn up after his death by his friend, the Rev. John Whitefoot, who had been intimately acquainted with him for more than forty years. A few touches may also be added from different parts of his own writings. He was of moderate size, of a dark complexion, and, if we may judge from his portrait, of a modest and amiable expression. His dress was somewhat peculiar, and he wore a cloak and boots even when few other persons did, and always took care to be warmly clad. Both by nature and education he was disinclined to a public life and to social enjoyments; and his usual appearance seems to have been that of a grave and thoughtful person. "He was never seen to be transported with mirth, or dejected with sadness," says Mr. Whitefoot; "always cheerful, but rarely merry, at any sensible rate; seldom heard to break a jest; and when he did, he would be apt to blush at the levity of it. His gravity was natural, without affectation." In most of his religious opinions he accorded with the Church of England; but on some points he differed widely from the authorized doctrines, and on others his views were not clearly defined.

As a scholar his attainments were various and great. His memory, we are told, was good, though he seems in general to have trusted to his commonplace books, rather than to recol-

lection. He had read most of the great historians of ancient and modern times, and was familiar with the earlier and later Latin poets, beside having a critical knowledge of the Greek and Latin languages. He was also acquainted with Hebrew, and with several of the modern languages, was a good astronomer and botanist, and an excellent geographer. With the subjects that lay more immediately in the line of his studies as a physician he was thoroughly conversant; and his knowledge of natural history in particular was both extensive and remarkably accurate. Indeed, as Dr. Johnson justly remarks, "There is no science in which he does not discover some skill; and scarce any kind of knowledge, profane or sacred, abstruse or elegant, which he does not appear to have cultivated with success."

It is not easy to assign to him his exact place in English literature. On the one side his merits have been much undervalued by Mr. Hallam, who seems to have formed a very inadequate conception of the worth of his scientific researches; and on the other side the permanent interest of his writings has been scarcely less overrated by his warm admirers. It is not surprising, indeed, that there should be a great diversity of judgments as to the real merits of his works. In spite of the exactness with which his scientific experiments appear to have been conducted, he had little or no skill in framing a compact argument, or in pursuing any extended line of thought, and his writings are consequently fragmentary and episodical in their character. This defect is at once perceived by critics in whom the logical faculty predominates; and in their disappointment at finding so little unity of thought and expression in his works, they are very apt to undervalue qualities which they hold in slender esteem, but which to other persons furnish sufficient grounds of admiration. On the other hand, many readers are charmed by his gorgeous eloquence, his quaint imagery, his strong imagination, his fancy, his wit, and his learning, and are content to take these as they find them, without demanding a more methodical arrangement. They could not readily give a satisfactory account of what they have read, but they have been so strongly impressed by it as to place the writer at once in the short list of favorite authors,

and to revert to his pages with continually increasing satisfaction.

If, without adopting any extreme views as to the rank which he must hold among his contemporaries, we pass to a closer examination of his writings, we shall find abundant reasons for setting a high value on his scientific and literary labors. In spite of his disbelief in the Copernican system of astronomy, and of some other errors which he upheld, it cannot be doubted that he rendered a real service to science by the publication of the "Pseudodoxia Epidemica," and that he smoothed the path for subsequent inquirers. As a writer, his erudition and his eloquence are alike worthy of admiration. His best thoughts have passed into our common speech, and become as familiar as household words. No man has written more persuasively or more eloquently of the great themes which engaged his pen in the "Religio Medici," the "Hydriotaphia," and the "Christian Morals"; and it is not probable that these productions will ever cease to be read. A writer who has received the united applause of Johnson and Cowper, of Coleridge and Southey, of Lamb and Hazlitt, and who has, indeed, maintained his reputation with but little loss for two centuries, must always hold an honorable place in literature.

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ART. VI. — *Ceremonies on Laying the Corner-Stone of the New York State Inebriate Asylum, at Binghamton, September* 24, 1858. New York. 1859. 8vo. pp. 184.

AS the memorial of a new and auspicious benevolent enterprise, and as an illustration of the method and the means whereby the public welfare is secured and advanced in our country, the publication named above merits special attention. It unfolds a noble conception, and describes the beginning of a great charity. The State of New York, in addition to a most creditable array of humane institutions, similar in design and arrangement to others established all over the Union, — hospitals for the indigent victims of disease, for the blind, the deaf

and dumb, the insane, the aged poor, for orphans, for disabled seamen, — boasts also several establishments peculiar both as to their objects and their resources, of which it is sufficient to mention the Woman's Hospital, founded upon the beneficent surgical discoveries of Dr. Sims, and the School for Idiots, so successfully conducted by Dr. Wilbur. To these is now added the State Inebriate Asylum, already far advanced toward completion. The publication named at the head of this article contains a statistical and medical exposition by the originator of the plan; the charter granted by the Legislature; the eloquent appeals uttered, at the laying of the corner-stone of the edifice, by Messrs. Everett, Bellows, Street, and Dickinson; with the discourses, on the same occasion, of the late Benjamin F. Butler and John W. Francis, whose earnest efforts in this behalf are to be commemorated by monuments within the walls; — while the letters of citizens of the highest official and professional character, from the President of the republic to the Mayor of the metropolis, — leading merchants, authors, clergymen, jurists, and *savans*, — attest the kind and degree of public sympathy and social consideration enlisted in favor of the plan, — a sympathy which is not less manifest, in a practical form, in the distinguished and honored names of the Board of Trustees. An institution founded under such auspices has uncommon claims to favorable regard; and when we also consider that the design is novel, that the success thus far has been most encouraging, and that the mere rumor of its establishment has elicited the eager investigation and the cumulative zeal of philanthropists and physicians in various parts of Great Britain, in Holland, and in the East Indies, we are assured that an endeavor to portray and illustrate the purpose, place, and plan of the New York State Inebriate Asylum cannot fail to be acceptable. Prompted thereto by a conviction that this institution is destined to be the parent of many others, that it is a positive addition to the means of social reform, and marks a fresh and glorious epoch in the annals of humane achievement, we deem it not unseasonable, even in the absorbing period of a momentous national crisis, thus to remember that "Peace hath her victories no less renowned than War."

The application of science to charity is a memorable feature

of the age. From knowledge combined with benevolence results the highest and most genuine civilization. Material well-being, under this benign inspiration, is made to coalesce with those moral forces by which society and its individual members attain their best development. At no period have those triumphs of humanity been so numerous and remarkable as during the past fifty years; intercourse has attained a directness and celerity which have fused and fostered both enterprise and intelligence; physical pain has been exorcised; the laws of hygiene established and diffused; vast social reforms initiated; the processes of mechanical art ameliorated; those of agriculture and domestic economy rendered at once more efficient and less laborious; the resources of culture and enjoyment augmented; and a permanent basis thus laid for advancement in all that belongs to the comfort and the elevation of man. Insanity is now successfully treated as a specific cerebral disease; and when it is incurable, its victims are at least preserved from the worst consequences of what was once regarded as a hopeless and diabolical visitation; and even when the instrument of the mind itself is natively imperfect, when the connection between motive power and volition, brain and utterance, thought and feeling, apprehension and fact, is inadequate, vigilance, sympathy, patient encouragement, and healthful care modify the conditions, develop the latent intelligence, revive the flickering flame, so as, if not to redeem the imbecile, often to brighten the life of idiocy. If, on the one hand, artificial luxury has drawn us away from nature in habits and sympathies, on the other, science and humanity have brought us, like penitent children, back to her forgiving bosom.

When intemperance had become a social evil of such magnitude as to vitiate the integrity of national life, it was natural that it should be assailed by proscription and prohibition to the full extent of legal possibility, that the clergy should bring against it the solemn protest of religion, that legislators should strain their authority to impede its progress, and that every moral influence, from the sumptuary law of communities to the sacred pledge of individuals, should be enlisted against the fatal scourge. The result has been all that such means alone

could reasonably be expected to achieve. A marked reform in the habits of society has been effected; the temptation to indulge in alcoholic stimulants is greatly diminished; fashion has established a more healthful *régime;* the national conscience is fairly awakened to the nature and extent of intemperance; its facilities are abridged; law and letters, personal example and public opinion, eloquence, song, art, the press and the pulpit, have waged an effectual and memorable crusade against it, the fruits of which this generation enjoys and posterity will honor. To a certain extent the evil has been thus reduced to its normal conditions. Its ravages continue; its hecatombs of victims still perish; but many of the customs and circumstances that fostered the vice in this country have ceased to exist, and although portentous and prevalent, it is so far limited and defined as to have reached the state which renders it amenable to scientific treatment. It is, therefore, as it seems to us, altogether within the range of providential sequence that it should now be approached with a practical insight and a humane efficiency heretofore unattainable; and we regard the successful endowment of an institution like the New York State Inebriate Asylum as one of the most benign and wise enterprises of modern philanthropy, destined to inaugurate a new era in the perpetual conflict which individuals and society sustain with this peculiar form of error and suffering, and to insure by the only available means a gradual and progressive triumph.

If we do not greatly err, this experiment involves important principles of social reform, especially in the distinction which it recognizes between constitutional and accidental tendencies, and in its regarding errors heretofore ascribed to wilful perversity as the result of physical causes, and therefore as susceptible of remedial treatment based on physiological laws. The charity, the forbearance, sympathy, and consideration thus created, will add new and hitherto unappreciated moral efficiency to the otherwise blind zeal of the reformer, and will not only ameliorate, to an indefinite extent, the condition of the frail and the outcast, but will graciously modify the judgment of society. No one who has not made intemperance a subject of philosophic observation and diagnosis can duly estimate

the varied forms under which it encroaches upon health and character. Where the human organization is viewed with reference to this subject, and in its relation to peculiar influences, individual and social, how many explanations of the prevalence of intemperance are revealed! When we reflect that the brain is the organ of the mind, that its instruments are bound to it by an intricate system of nerves, and that this delicate mechanism is capable of being stimulated or deadened by what is at the moment a sedative or a means of exhilaration, how natural that poor, weak, aspiring, baffled, worn, and racked humanity, when self-forgetful and desperate, should resort even to a poisoned chalice or a baneful drug, that exalts the consciousness into complacent dreams, or steeps it in oblivious repose! Some physical excitement, some vivid sensation, our nature instinctively craves; and when unendowed with the capacity to seek these in intellectual spheres, is it to be wondered at that resort is had to the most available means? The annals of genius, too, abound with evidence that high intellectual gifts are the least trustworthy safeguards against such a pernicious resource, and the very exhaustion of the alert and sensitive mind is a plausible excuse for the occasional indulgence which too often lapses into a degrading habit. While such refined men as Cowper and Schiller found in tea and champagne the favorite means of nervous stimulation, morbid natures like those of Johnson and Byron, rich organizations constantly drained by mental excitement, as in the case of Fox and Burns, were liable to similar craving, and were more or less warped and wasted by its indulgence. Who can read Elia's quaint, yet profoundly tragic, and De Quincey's metaphysical and imaginative "Confessions," and not feel how near to the most gifted of our race is this terrible scourge? Yet, in the last analysis, disease is frequently at the root of the evil. Byron was liable to epilepsy; Johnson was a hypochondriac; Cowper trembled on the verge of insanity; Pope's misshapen body cut him off from the excitement of athletic exercise, and drove him to the gratification of his palate; Coleridge was a martyr to pain, which opium alone relieved; Burns suffered from disease of the stomach and fits of melancholy, and what convivial associates first suggested as a respite from pain,

the life of an exciseman confirmed into a fatal habit. In these and other memorable instances there is a vast difference in the degree of self-control and in the kinds and measure of material alleviation sought; but they indicate the same abnormal tendency which circumstances and a more or less energetic will can encourage or restrain.

Apart from the temptation peculiar to nervous or morbid constitutions, there is the occasional intemperance of one class, and the sottish self-abandonment of another; there is the calm and cautious habit of the moderate drinker, and the wild excess into which the slightest indulgence invariably plunges the absolute victim of the habit. Society to one, solitude to another, opportunity there, unhappiness here, proffers the occasion or the motive, and these suggest an equally diverse mode of dealing with the tendency. Air, water, odors, food, art, literature, companionship, — almost every element of life and experience, — may stimulate the nervous system, and awake the thrill and the throe that respond to every appeal to sense and soul. According to temperament, sensibility, and habit, the "electric chain with which we 're darkly bound" is moved by coarser or more refined excitements.

How intimately associated with human history and character is this pervading and insidious habit, we may read in every record of nations and of genius. What Belshazzar's Feast typifies in the remote past, Shakespeare defined for all time: Noah and Lot succumbed to the very enemy that subjugated Falstaff and Rodrigo; and the excesses of Scotch banquets half a century ago tell the same tale of human weakness as the Irish wake, the German's beer-garden, and the bad whiskey that fevers the reckless politicians of the South to-day. But intemperance has, in a great measure, passed from a social abuse to a private infatuation; and it is chiefly with reference to this latter aspect that medical philanthropy, at length organized into an institution, proposes wisely and kindly to deal.

We know of no problem more difficult of practical solution, than to reconcile justice to others with humanity to the individual, in the course pursued by kindred, friends, and society toward inebriates. Those who belong to the poor and igno-

rant classes have, indeed, long been suffered to incur the judicial consequences of their habits, to people the station-house and the jail, or to suffer the extreme penalty of the law for murders committed in the frenzy of alcoholic delirium. Among the educated and more prosperous, the life-long grief and shame entailed by the excesses of a single member might challenge angelic pity, borne, as it often is, with martyr-like silence, and the forbearance of maternal devotion or conjugal self-sacrifice. The difficulty which baffles the affectionate and the conscientious, when thus afflicted, is to regard, on the one hand, the claims of personal safety and domestic well-being, and, on the other, those of a husband, brother, or son, who, proscribed at home, becomes a reckless outcast, and cherished there is a dangerous inmate, a perpetual care, and a fatal example. Hence the weary and tearful vigils, the incessant anxiety, the lonely struggles with pride, love, hope, terror, and despair, which, in the secret annals of domestic misery, attest the ravages of intemperance. "Even justice," says an acute observer, "makes its victims; and we can conceive no retribution that does not spread beyond its mark in pulsations of unmerited pain." If the eclipse of reason were permanent, an insane asylum would afford an appropriate retreat for these destroyers of tranquil homes, where love for them wrestles with duty to others. If the violence born of strong drink were conscious and habitual, personal restraint and confinement, under sanction of law, might be adopted without compunction. It is the casual nature of these effects; the repentance that follows; the noble and endeared traits of character that reappear when the victim is himself; the never-dying hope of reformation; the fear of utterly quenching self-respect by severity; the pride of family; the love once unprofaned; the thought of a final separation on earth, when death will hallow the memory of the erring to the hearts of kindred, — it is these, and innumerable other conflicting sympathies and duties, that make it so bitter an alternative and so doubtful an expedient to banish the inebriate, to hand him over to the civil authority, or to abandon him to his fatal appetite; and yet not to do thus is to inflict upon those near and dear to him a life of wretched apprehension and agonized vigilance,

destructive of peace of mind, and often of the capacity for usefulness and enjoyment. If the Inebriate Asylum achieved no other social good than to afford a safe retreat for the victims of intemperance, where they are out of the way of temptation, and provided with the essential comforts of life, it would prove an institution of incalculable worth both to society and to the individual. But these are but its negative advantages. Its scope is far wider, its object higher; its possible and probable results such as will not only meet a great social need, but work a vast social reformation; for its object is curative as well as protective. It is established, not merely to relieve society, but to restore the individual. It invites as well as restrains, and repudiates the idea of a punishment in the emphatic assertion of a privilege, such as the inebriate, in every lapse of his self-abandonment, and in proportion to his culture and sensibility, longs for as the one possible safeguard and solace of a perverted existence, — the privilege of sequestration from the reproach of the world, from the incessant wounds of self-respect, from temptation and despair, — the privilege of sympathy, of resources that may revive latent aspirations, and win mind and body to healthful reaction. Not as a culprit, but as an unfortunate man and brother, — not as a criminal, but as a diseased subject, — is it proposed to receive the inebriate. Removed, as he is, from the familiar scenes of conscious degradation, environed by the serene beauty and freshness of nature, subjected to a wise hygiene, and furnished with the means of salubrious recreation and genial culture, an opportunity is secured to cast off the thraldom, to heal the disease, to recuperate the exhausted powers; and, if too late for this, at least for the retirement and repose, the alleviation, and the moral support wherewith the "good physician" ministers to declining nature.

Such being the object, let us note the scene. There is a kind of poetical justice in the distribution of human and national associations around the picturesque rivers of this "land of many waters." If the deep green currents and lovely rapids of the Niagara are glorified by the mightiest cataract in the world, the countless wooded isles of the St. Lawrence offer a distinctive charm; and while every nook and highland

of the noble Hudson challenges admiration and hints a memorable legend or grateful reminiscence, the majestic bluffs of the Upper Mississippi seem to herald and guard the onward tide of Western civilization, from the heart of the continent to the sea. The many beautiful rivers which are but partially navigable, or serve only to feed canals, boast respectively a special utility and grace, whereby their vicinage is embellished and blessed. Of these, few present so many amenities of landscape as the serpentine river which, rising from Otsego Lake, winds through meadow and woodland, by highway and village, beneath umbrageous hills, amid fertile plains, to empty itself, at last, into Chesapeake Bay. Campbell long ago sang its beauties without having seen them, and the "crooked stream," in aboriginal dialect Susquehanna, is associated with the most cruel of Indian massacres, and consecrated by that pathetic union of "beauty and death" which is the key-note of the music of humanity. Nor is the Chenango, or "pleasant" river, less winsome to the eye of the artist, who follows its less capricious flow through fields emerald with the hues of June herbage, and flanked by hundreds of lofty and isolated elms. Where the waters of these rivers meet, stands the town of Binghamton, — one hundred and fifty miles southwest of Albany, ninety south of Utica, and seven from the Pennsylvania line. The hills around are from three to four hundred feet above the level of the streams. The population of the township is about ten thousand; and among the best-known residents are John A. Collier, who has the credit of being one of the ablest lawyers in the State, and of having made the most amusing speech ever delivered in Congress; and Daniel S. Dickinson, whose house adjoins the old Indian orchard whose name it bears, — prominent in political life, and one of those who so nobly refused to "give up to party what was meant for mankind," and added his emphatic protest to that of the nation at this solemn crisis of her fortunes and her fame. In the rural cemetery of Binghamton is a cenotaph which marks the burial-place of General Whitney, whose public spirit as agent of the largest land-owner greatly promoted the growth of the town when, newly surveyed and organized, it took the name it now bears.

That small class of native travellers who allow themselves, when whirled along the vast network of railways that intersects and connects so many diverse scenes on this continent, to be won to a few days or hours of rest and observation by the tranquil beauty or picturesque attraction of the landscape, will instinctively pause and ponder at that point of the Susquehanna valley where the winding river which gives its name to the region blends with the waters of the Chenango. In his course thither along the Erie Railroad, he has, indeed, passed more impressive scenery, — looked down from sombre cliffs into forest-clad ravines, and beheld a panorama of river, mountain, and woods of primeval wildness and beauty, diversified by the evidences of the civilized skill and industry which guide the canal barge, laden with coal from the bosom of the distant hills, leagues through the lonely forest, to the populous mart of the seaboard, — which stretch a delicate wire across the wilderness, the sparse settlement, the thronged village, and the teeming fields, to convey, with the rapidity of light, messages of human care or love, — and which span the yawning chasm with a graceful viaduct, excavate the granite ribs of the earth into caverned highways, and bear, as on the wings of the wind, caravans of travellers through alternating scenes of natural loveliness, now wild as those Salvator's pencil traced, and now soft and salubrious in green and graceful fertility as that which Cuyp delineated. At the confluence of the two rivers the savage features of the landscape disappear. Instead of cliffs, we find long, undulating slopes of meadow, embosomed in a range of hills, many of them forest-crowned, and their summits often level for acres, so as to form productive plains. The grain-fields and clumps of trees, the pasture and fallow land, with the devious course of the streams, — fringed with woods here and there skirted by orchards, with the broad emerald surface of the adjacent meadows dotted with majestic elms, whose lofty and graceful forms give a certain dignity to the landscape, — combine to form a rural picture, somewhat English in its general effect, but essentially American in the hue, material, and aspect of the little town which forms the central feature of the picture. On a clear day in early summer, the spectator on one of the high natural ter-

races can easily discern a sweep of hills embracing a circuit of twenty miles, clad in the richest vegetation, — the maples wearing a lucent and the firs an opaque green, — the face of the earth variegated by the golden tinge of the ripening grain, the fresh grass of the new-mown field, and the darker hue of the pasture or the new furrows.

In the social annals of the country, few names not directly associated with the government find more frequent and gracious mention than that of Bingham. The most refined hospitality of the time, and the distinction born of wealth, taste, and high breeding — then comparatively rare — united to give prestige to the Englishman whose mercantile talents had gained for him both fortune and reputation. These claims, however, were not admitted beyond the favored circle of the Philadelphia aristocracy of that day, without a protest from the democratic advocates of a less factitious title to social consideration; and "one of the richest men of the Colony" was criticised for the *hauteur* of his manners and the exclusiveness of his entertainments. It is evident, however, that he enjoyed the confidence of the most eminent patriots during the Revolution, and that his public spirit and private munificence justly endeared him, at a subsequent period. Moreover, his wealth and position made him intimate with the celebrities of his day, both in America and Europe, and he had rare opportunities to befriend the land of his adoption, as a private and influential citizen. His wife, who was evidently born to charm and cheer whatever sphere of life might be blest with her presence, was a daughter of Thomas Willing, and became the fairest representative of the society of her native city, ever celebrated for female beauty. William Bingham, according to the gossip of the time, was the first person who ever gave a masquerade ball in that staid metropolis, where Quaker habitudes so ineffectually struggled with fashionable aspirations; and it is recorded of this unique *fête*, that "the strictest measures were taken to exclude mechanics and their wives"; while one of the notable traditions of the Philadelphia stage is a controversy between a punctilious theatrical manager and the "beautiful Mrs. Bingham," in regard to his right to dispose of her private box when not occupied by herself. Such anecdotes

are characteristic of the transition era of American society, when the encroachments of a privileged class excited the jealousy of republican stoics.

Of Mr. Bingham's early life, the account is somewhat meagre; but in 1771 he was consul at St. Pierre, Martinique, in the West Indies, and among his papers are receipts for the passage-money of Americans "deserted from the English" in 1777. It is probable that he loaned money to our government. It is certain that he "assisted" at Washington's first presidential levee, was a guest at his farewell dinner, and a pall-bearer at the obsequies of Dr. Franklin. It was for him that Washington sat for his first portrait by Stuart, destined as a gift to Lord Lansdowne; and to his wife the first President presented one of the two portraits of himself executed by Madame de Brêhan, sister of the French Minister. It is doubtless to the former of these works of art, since so memorable, that Washington refers in a note to Stuart, dated April 11, 1796: "Sir,—I am under a promise to Mrs. Bingham to sit for you to-morrow at nine." In 1784, the lady and her husband visited Europe, and were presented at the court of Louis XVI., where she "attracted much notice." Indeed, at home and abroad, she exercised, by the grace of her manners, the amiable tone of her character, and her rare personal beauty, an influence which has preserved her memory amid the evanescent records of social distinction. Jefferson corresponded with her from Paris. Mrs. Adams, when her husband represented this country in France, writes of her: "Mrs. Bingham has been twice to see me. I think she is more beautiful and amiable than ever." And again, meeting her at a dinner at Lafayette's, she describes her "as ever engaging: her dress was of black velvet, with pink satin sleeves and stomacher, a pink satin petticoat, and over it a skirt of white crape, spotted all over with gray fur, the sides of the gown open in front, and the bottom of the coat trimmed with paste. It was superb, and the gracefulness of her person made it appear to peculiar advantage." We have quoted these details of the costume of an American belle of the last century, because within the past year one of our native artists has felicitously availed himself of it in an elaborate painting, intended to represent a reception

of Mrs. Washington in the palmy days of Philadelphia society, when that city was the seat of government, and "fair women and brave men," such as have illustrated no subsequent period, graced the republican court, in which the artist has justly made Mrs. Bingham prominent, arrayed not in the colors, but in the identical style, which Mrs. Adams, nearly eighty years ago, so minutely described; while her expressive face and figure have been bequeathed with no less authenticity by the magic pencil of Stuart.

The Bingham estate in Philadelphia, by one of those local vicissitudes which seem inevitably to attend all public and private edifices in this land of perpetual transitions, must be familiar to many old Epicurean *habitués* of the "city of brotherly love," as having long been famous and frequented as the best hotel in America, when that institution had not grown into an immense bivouac. The "Mansion House," however, conserved only the dwelling once a shrine of refined hospitality. The grounds, originally quite extensive, and adorned with clumps of beautiful shade-trees, where soldiers paraded when Philadelphia was occupied by the British, have long since been covered with dwellings. The house was erected in 1770, and around the large enclosed area flourished the first Lombardy poplars ever planted in Philadelphia. Many relics of this memorable dwelling are still to be seen, in the form of antique furniture and rare pictures, scattered among the descendants of the family, whose name is now chiefly remembered in connection with a thriving town in the interior of New York.

Not only is that name historical as associated with the golden age of American statesmanship. The services which Mrs. Bingham's father rendered to the country, the mercantile eminence of her husband, and her own beauty and position, and the marriage of her daughters with two London bankers who are intimately associated with American society and finance, add links to the chain. Alexander and Henry Baring married daughters of William Bingham, for one of whom, it is said, Louis Philippe had proposed while an exile in this country. The inheritance of Alexander Baring's wife was nine hundred thousand dollars. She had nine children, the

oldest of whom is named for his maternal grandfather, and is the present Lord Ashburton, whose wife is Lady Sandwich. To revert to the fair progenitor of these fiscal kings, we may add, that her death was a social eclipse. Returning from a party in an open sleigh, she caught a severe cold, which settled upon her lungs. A milder climate was sought, and she embarked for the Bermudas, where she died on the 11th of May, 1801. The scene of her departure from the home and the community of which she was the idolized centre was long remembered by the crowd of weeping friends who attended the palanquin in which she was borne to the ship. Her husband, overwhelmed with his bereavement, soon went to England, and three years afterward expired at Bath, where his monument may be seen in the Abbey Church.

William Bingham was the proprietor of a large patent, lying on both sides of the Susquehanna, at what was then called Chenango Point. Like all extensive land-owners in America, he commissioned an agent to dispose of specific portions of this tract; and to facilitate its sale and settlement, he authorized such terms as would induce purchasers to avail themselves of the opportunity to secure "lots" in a region where so many natural advantages combined to indicate the site of a prosperous town. Fortunately this authority was vested in a man of intelligence, probity, and generous views, whose suggestions the owner wisely adopted. These were made with wise regard to the prospective growth of the place; and under the auspices of General Whitney, Mr. Bingham conveyed spacious sites for a court-house and other public improvements. The first survey of the land where now stands the flourishing town of Binghamton was commenced in 1800, and a new and more complete survey was effected in 1835. The town is two miles in length, from east to west, and a mile and a half broad, from north to south. The streets are lined with dwellings, before and around which the shrubbery is exuberant; and the business thoroughfares soon exhibited all the tokens of a busy mart. Banks and factories, mills and founderies, betokened the rapid development of economical resources; church-spires rose, as usual, representative of many sects; and among these temples, the Episcopal Church resembles one of those

gray stone chapels which lend such a charm to the villages of Old England, — in an architectural point of view, a remarkable exception to the anomalous structures so often seen in our cities, and justly regarded as the *capo d'opera* of Upjohn.

While there is little in the buildings to distinguish this from other inland towns of the State, few can boast a more rural character, — a feature derived in part from the broad sweep of the adjacent meadows and wooded elevations, and in part from the number and variety of beautiful shade-trees which adorn the streets, and from the clear waters of the two romantic streams, spanned by long and lofty bridges, and fringed with grassy banks whence depend the graceful boughs of elm, willow, and maple. Until within a brief period this spot, where "the meeting of the waters" lends such crystal animation to the landscape, was the nucleus of an extensive lumber-trade, and immense rafts of timber vied with canal barges as tokens of local industry and traffic. This form of enterprise has diminished as the neighboring woods have been thinned, and, although a few manufactures flourish there, the place has grown more exclusively agricultural, — an auspicious circumstance as regards the population, in view of the great public charity now identified with the scene. Indeed, the economy not less than the natural beauty of Binghamton, its situation, aspect, and resources, justify its selection as one of the best possible locations for the first Inebriate Asylum. Abundantly supplied with the products of farm and dairy, accessible with equal facility from New York, Philadelphia, and Baltimore by lines of railroad in constant operation, seated very nearly in the centre of the State, inhabited by a thrifty and intelligent population, blessed with a rich alluvial soil, connected with the coal-mines of Pennsylvania on the one hand and the grain-fields of Western New York on the other, by canal with Utica and by a nearly completed railway with Albany, surrounded by hilly uplands and watered by bountiful rivers, while linked on all sides, by the genius of modern intercourse, with capital, metropolis, the interior, and the seaboard, it at the same time is embosomed in rural seclusion. It thus apparently embraces all those conditions of salubrity, access, sequestration, and attractive scenery, so essential to the

beneficent reform by which the perverted instincts of humanity are redeemed through the maternal benison of Nature. The sympathy of the inhabitants in the noble enterprise of which their beautiful district is the chosen site, has not only been manifested by a donation of two hundred and fifty acres for the Asylum buildings and grounds, but is constantly exhibited in presents of stock, trees, and other requisites for the institution, and liberal deduction in the price of labor and transportation, as well as in the most cordial personal co-operation.

It is to individual zeal, assiduity, and gratuitous labors that we owe this noble institution. Peculiar experience as a physician and a man, about sixteen years ago, drew the earnest attention of Dr. J. Edward Turner, a native of Maine, and an *élève* of the Massachusetts Medical School, to the subject of intemperance, as a consequence of morbid conditions of the animal economy, a specific diseased habit, and a vast social and national evil. A partial study of its pathology so enlisted his professional interest, that the spectacle of its incalculable ravages in his own country, and a conviction of the inadequacy of the measures instituted to withstand its prevalence, led him to a resolution to examine its history and character in other lands, and, if possible, to make it the object of medical as well as moral treatment on a large scale. He passed twelve years in the study of the subject; he visited the principal cities of Great Britain, France, Russia, Germany, the United States, and Canada, collecting statistics of the vice and phenomena of the disease, — making hundreds of dissections to note its morbid conditions; and, on returning to his native country, he laid the result of his researches before the most eminent living members of his profession, and, armed with their deliberate opinions, appealed to the public spirit and the Christian benevolence of the State of New York, to co-operate with him in the establishment of an Inebriate Asylum. His success in the treatment of several cases deemed hopeless won for his project the respect of a certain number of intelligent and influential persons; the medical fraternity recognized the need and value of his labors; and a few earnest individuals, whose private experience gave them ample reason to hail the prospect of such an enterprise, advocated his cause. But, like all pro-

jectors of new schemes of social reform, he met with no small share of ridicule and of opposition. Fortunately, Dr. Turner had the self-reliance and persistency indispensable to success; and, choosing for the first allies in his philanthropic enterprise Drs. Valentine Mott and John W. Francis of New York, through the emphatic indorsement of the one and the ardent advocacy of the other he soon gained the sympathies of scientific lovers of humanity. We consider the remarkable success, however, which has attended this enterprise, as in no small degree owing to the fact that an individual, instead of an association, initiated and conducted it. To this we ascribe the economy of the fiscal arrangements, the rapid advancement of the work, the enlistment of public men in its behalf, and the effective manner in which the great undertaking has been carried on; — so true is it that one man, with all his heart and wit devoted to a cause, will achieve more than twenty among whom the responsibility is divided. Dr. Turner has not only been the most able expositor of his own vast project, but, by personal appeals, he collected a hundred thousand dollars toward the building fund, secured the advocacy of the press and the pulpit, and, by dint of sheer perseverance, obtained a liberal charter and grants from the Legislature of the State, besides superintending the erection of the edifice, enlightening public opinion, attracting public sympathy, and thus constantly enhancing the moral and material aid requisite for ultimate and complete success. He has acted upon a conviction that the best minds of the country should be identified with the cause to insure its legitimate triumph; and, though venal legislators and narrow financiers have from time to time thwarted him, they have never turned him from his path. In comparing the expense already incurred with that which similar public edifices have cost, it is remarkable how large an amount individual supervision, and the freedom from subordinate agents, who always intervene between corporate bodies and their fulfilled contracts, have saved.

Dr. Turner has demonstrated that many inebriates, and perhaps nearly all of the class usually regarded as hopeless, are so from hereditary physical causes; that they must be treated as the subjects of a disease, and can be rescued only

by hygienic means. He has carefully studied, not only the effect of stimulants upon the human system, and the primary causes of the morbid appetite for them, but has so intelligently experimented with ameliorating processes, as, in many instances, to have wrought cures where the later stages of delirium tremens have been reached. Add to the salutary discipline of wise medical treatment, the moral agency of sympathetic local and economical expedients, and it is evident that the elaborate diagnosis will often suggest and secure a radical improvement, and always a most desirable alleviation.

The hereditary nature of the disease of inebriety is shown by the statistics of insanity. Eighty per cent of more than a thousand cases of delirium tremens which came under the observation of Dr. Turner were the cases of children of intemperate parents; and the amount and character of the medical testimony recorded in his letter to the Governor of the State establishes the inference, that, "without such an institution as this Asylum, the physician has been compelled to turn from his patient, discouraged, disheartened, and defeated, and the victim of this painful malady, be he rich or poor, high or low, educated or uneducated, alike must find a drunkard's death and a drunkard's grave. With this institution, we can save hundreds who are now crowding our insane asylums, inundating our courts, dying in our prisons, and perishing in our streets."

It is well known that stimulants are of two classes as to their nature and action, — the one exciting primarily the nervous, and the other the circulatory systems. The latter are alcoholic; the former are tonic, and comprise, besides the common articles of tea and coffee, numerous vegetable products included in the *materia medica*, as well as others more properly hygienic. To these may be added those congenial moral excitements, the scientific application of which is no small part of the philosophy of æsthetics and education. The use of these agencies, with judicious restraints, and with insight and sympathy, is adequate to produce results as yet quite unrecognized. This benign ministry, it is obvious, can be realized only when the patient is under the entire control of the physician, — removed, not only from the opportunity of indulgence, but from

the conscious degradation which is one of its worst consequences. These conditions are met by the *régime*, arrangement, and resources of the Inebriate Asylum. The noble edifice consecrated to this work of love is worthy of so humane an object. It is erected on one of the many green and broad hills around the town of Binghamton, at the distance of about two miles from it, — thus commanding a view rarely equalled for extent and beauty, within easy reach of the market and the railway station, and yet sufficiently secluded to keep the institution wholly apart from the busy haunts of men. The domain, of which it forms the imposing ornament and centre, includes, at present, two hundred and fifty-two acres, agreeably diversified by level and upland, meadow and arable land. On one side flows the Susquehanna, with its placid and crystal curves overhung with trees or bordered by grassy banks; on the other, crowning a lofty ridge is a grove, where flourish the maple, reflecting in crimson tints the autumnal sun; the dogwood, cheering the eye with early blossoms in spring; and the fir, enlivening with verdure the winter landscape. Between the ranks of these sylvan guardians of the hill-side, paths are to be cut on which the invalid can loiter and muse. The adjacent ground is full of springs, whence it is intended to feed, both for ornament and use, several large fountains. A slate-quarry conveniently at hand furnishes requisite material for construction and repairs. In another direction, a large vegetable garden, fields of grain, pastures, and meadow-land, constitute a rich farm, which, while it yields all the vegetable products and fodder needed, will give profitable occupation to the poorer inmates. An extensive lawn, that slopes gently down to the river and highway, forms a beautiful and appropriate foreground, and its emerald hue finely contrasts with the neutral tint of the grand structure, which rises in massive and symmetrical proportions, visible for miles around, and crowning with a temple of humanity the luxuriant aspect of nature.

The New York State Inebriate Asylum is a castellated Gothic edifice, three hundred and seventy-five feet in length, and three stories in height. It is built of that species of limestone known as gray marble, from the Syracuse quarry, a

material, from its dense texture, its subdued tint, and its capacity to resist the elements, admirably adapted to a grand public structure. Its walls, seven feet thick, are laid in cement, and erected with a deliberate care that insures permanent solidity. It combines to a remarkable degree the strength and beauty in whose union consists the perfection of architecture. Nor are the embellishments of the edifice merely ornamental; for every turret is the avenue of ventilation or water supplies, or contributes otherwise to the economical arrangements of the interior. Moreover, the design of the whole is such as to admit of harmonious extension, as future need may require. A tablet over the main entrance is inscribed with the date of the foundation. There are three hundred and fifty rooms, each with one hot-air and two escape flues. Five miles of iron pipe radiate through the building, conveying steam for warming the apartments, while an immense fan-wheel, worked by an engine, propels the cold air from the spacious tower, open at the top and surmounting the roof to the height of twenty feet. The voluminous current pervading this air-aqueduct flows over the net-work of iron pipes, which are covered with felt to prevent the cold air from cooling them, and in summer the hot register thus becoming a cool one. There are to be five large boilers in the engine-room. A separate building is provided for the worst class of patients, whose vicinity might annoy or demoralize those less afflicted. The kitchen is in a distinct edifice, the food being conveyed thence by a subterranean railway communicating with the basement of the main building. Apartments for the reception of visitors, meetings of the trustees, business transactions, and social reunions, — airy, commodious, and accessible, — occupy the ground floor. The meals are to be furnished in the rooms of the patients, thus avoiding that forced contact of anomalous cases and that ungenial companionship which are so revolting to self-respect. There is ample provision for warm and cold bathing. The most beautiful apartment is the chapel, which is placed in the centre of the structure, with the loftiest ceiling, the broadest outlook, and the most ample proportions. Its height is forty feet, and its breadth eighty-two; and when completed, with its beautiful

stained-glass window, grand organ, chastely decorated walls, tablets and effigies of the benefactors, and all the sacred ornaments of religious architecture, it will prove a shrine where the tears of penitence may fall unchecked by the cold observation of the world, and where poor, struggling, baffled, yet aspiring humanity may find unutterable consolation and divine encouragement. Nor have the intellectual wants of the inmates been neglected. Next to the chapel, the library — sixty feet by thirty in area — is the most attractive of the public rooms.

While it is intended that, to a certain extent, the institution shall be self-supporting, the plan offers all the comforts consistent with the indispensable discipline which individual wealth can purchase; and if a class of privileged boarders contribute to the support of the Asylum, the opportunity is not less available to the indigent, by moderate labor, to secure for themselves at once the shelter and the care they need. The payment of five thousand dollars endows a bed in perpetuity. It is thus easy to provide, by will or immediate outlay, for the welfare of the chronic inebriate, and temporary and comparatively moderate expense will obtain refuge and medical supervision for the many who may thus be restored to themselves and society. Already the applications for admission have reached some thousands. We have reason to believe that this new charity so commends itself to public appreciation and to private necessities, that it is destined to attract the munificence of the wealthy, both in the form of individual endowments and of generous bequests; so that, although the present unparalleled and depressed state of the country makes it expedient to postpone all direct appeals for pecuniary aid, except for imminent patriotic objects, the judicious arrangements and excellent charter of the New York Inebriate Asylum, with the provision already secured from the State and promised by individuals, will amply sustain its progress and confirm its prosperity.

ART. VII. — 1. *The American Crisis considered.* By CHARLES LEMPRIERE, D. C. L., of the Inner Temple, late Fellow of St. John's College, in the University of Oxford. London. 1861.

2. *The American Union.* By JAMES SPENCE. London. 1861.

3. *Les Etats Unis en* 1861. *Un Grand Peuple qui se relève.* Par le COMTE AGENOR DE GASPARIN. Paris: Michel Lévy Frères. 1861.

WE propose to ourselves the somewhat ungracious task of examining the contrast, which all must have noted, between the French and the English method in the discussion of the present troubles in the United States. In both countries, the interest in the American question has been absorbing. This interest is especially remarkable in France, where we have seen torpid journals, with the life half crushed out of them by the long-continued pressure of imperial supervision, plunging day after day into all the complicated political and social questions to which it gives rise, and treating them, not always with accuracy, it is true, but with a life and vigor which seem to show how much they rejoice in an opportunity of talking politics with freedom, even though it be but foreign politics; — while in England the leading columns of the innumerable periodicals, high and low, Whig and Tory, daily, weekly, monthly, and quarterly, are filled with the speculations and prophecies of interested journalists, now calm and authoritative, now heated and violent, and once in a while earnest and friendly; and, as if this were not enough, at the rate of about two each month, more ambitious essays are published, in the shape of octavo volumes, claiming each to exhaust the subject up to the date of its issue.

We have placed at the head of this article the titles of three books, two English, and one French, which we think may fairly stand as exponents of the prevailing sentiment in the two countries; and if we give a brief sketch of their contents, and indicate in some degree the views which their authors seem inclined to adopt on this subject, we shall perhaps be doing some service to those who believe in the unanimity of European opinion on American affairs.

Of the two English books we may say that, had they been published anonymously, we should have confidently pronounced them to be the work of men with whose views and manner of expressing them we all had had occasion to be more than sufficiently familiar. Mr. Lempriere's book we should have assigned to the Hon. Mr. Wigfall, late Senator from the Commonwealth of Texas, — or to the Hon. Mr. Keitt, late Representative from the sovereign State of South Carolina, — so much has it the air of a compilation from the speeches of those types of a class of statesmen who once ruled the nation, and have now departed from its councils, we trust forever. Mr. Spence's book we should have accredited to Mr. J. D. B. De Bow, whose Review it emulates in its aversion to figures, — or perhaps, in a more generous mood, to Mr. Jefferson Davis himself, who need hardly be ashamed of its ingenuity in making white appear black, and black white. But as the great seats of English learning have not yet gone so far in their appreciation of our Southern brethren as to bestow fellowships upon them, and furthermore, as one of the books bears on its title-page a name which of late has become somewhat noted in the commercial circles of so great a port as Liverpool, we are forced reluctantly to deprive the new Confederacy of the credit of a literary beginning so distinguished, and to add these to the number, already large, of the extraordinary contributions to political knowledge with which English writers have favored us within the short period of our domestic troubles.

To have obtained the fellowship and the degree which are announced on the title-page copied above, Mr. Lempriere must necessarily be a man of some education and of some culture. It is in this view alone that we can feel ourselves justified even in the shortest notice of a book, of which, in this view, the ignorance and vulgarity are absolutely astonishing. The brief extracts we shall permit ourselves will illustrate these qualities sufficiently without the need of any comments upon them. On page vi. of the Introduction he speaks of "the coercion and abolition which has been the policy of the leading portion of the Northern statesmen for the last twenty years." On page 2 he finds "a right of resist-

ance" to the authority of a newly elected administration, "in the legislative action of the several States, or of the whole combined, in Senate and Congress." "Nor is it any answer to say that the President, being duly elected according to law, became *ipso facto* governor of the country. *He did not*, until he was accepted by the legislatures both of the separate States and of the whole combined, which we know has never been the case." On page 96 he says: "The North, by a systematic and violent attack on the property, and even lives, of their fellow-citizens, forced them into an attitude of defence. The armed and fierce action was entirely on the part of the North. *They* appeal to arms, and on them is the heavy onus." We give these passages as examples of the author's ignorance, because it is less unpleasant than to assume them to have been deliberately published with a knowledge of their falsity, — which is the only alternative. As an example of the other quality which we specified, we give this passage from the chapter in which the author reviews the Letter of Mr. Motley to the London Times: "Englishmen know that the oft-repeated assertion that 'the Republican party, in its desire to set bounds to the extension of slavery, had no design, secret or avowed, against slavery in the States,' is a palpable, patent, and wicked lie, — and 'the noble and generous desire of all parties in the free States to vindicate the sullied honor of their flag' is mere bunkum to get him the loaves and fishes, which we see Mr. Motley has posted off to Washington to secure."

These extracts, taken at random, are quite sufficient to show the character of the book which the "late Fellow of St. John's College" has produced, and any further notice of it is as unnecessary as it is distasteful.

Mr. Spence's book is of quite another character, and we shall notice it more at length. The author is a Liverpool merchant of distinction, — a loyal subject of King Cotton, — and was chairman of the excited meeting held by his fellow-subjects in the Cotton-sales room, in response to the placards of the Secessionist emissaries, on the day of the arrival in England of the news of the seizure of Mason and Slidell on board the Trent. The sound and fury of that meeting our readers will no doubt remember, and also the manner in which the

good sense of some of its speakers stepped in to modify the absurdity of its resolutions. The report of the meeting which was sent to the London Times concluded with this quiet remark: "At the conclusion of the meeting, which was at four o'clock, a number of the older merchants on Change expressed their conviction that the meeting and its proceedings had been premature." The chairman's book had been given to the press some three weeks previously, judging from the date of its Preface, and he must have sorely regretted his inability to introduce into that publication the additional element of popularity which it would have gained by the discussion of so interesting a topic as the seizure of the rebel emissaries, and the "affront to the British flag." We have said that Mr. Spence's book is of quite a different character from that of Mr. Lempriere. It is different, however, not in its conclusions, but in its manner of treating the subject, and in its temper. It is calm throughout, and respectably well written, with a vein of philosophy running through its discussions, and a continued profession of the most friendly sentiments, which, even in their expression, seem to attach rather to the country, geographically considered, than to the inhabitants. "What desire has any one here, except to see that great country the home of a really great people? Few feelings are deeper in the human breast than love of kindred." And again: "Personal considerations and valued friendships incline me without exception to the Northern side." These he has so far successfully resisted as to be able to say, at the beginning of the Preface, what is fully justified by every chapter which follows: "Lest the neutral title of the present work should beguile the reader to assume that neutrality of opinion will pervade it, I warn him at once, on the threshold, that he will soon encounter a current of reasoning strongly adverse to the present doctrine and action of the Northern party." After a Preface of which this is the key-note, the book opens with a chapter on the political institutions of the United States, of which the aim is to prove these institutions defective in theory and destructive in practice, — unphilosophic in themselves, and wholly unsuited to the needs of so large and populous a country. Its reasoning is in many instances ingenious, and its quotation of

American authorities plausible and skilful; but the essay is a clear case of special pleading throughout, and the argument, as a whole, entirely fallacious. He assumes, for instance, that the population of the United States is not *homogeneous;* each State having marked peculiarities of custom and interest, and a patriotism more or less limited to its own borders; — and then, after enumerating the various instances of the formation of confederacies in history, he says: "Certainly, in every other instance on record, federal republicanism, where the component states have had the dimensions of powers and not of provinces, has proved a signal failure." But this is precisely what was not the case with the parties to the Constitution of 1789. Not one of the thirteen Colonies had ever even claimed the dignity of a "power," or had possessed for a day any other nationality than that represented by the government at London or the Continental Congress.* Through all the vicissitudes of party violence since that time, the instances in which State pride has been invoked in opposition to national patriotism have been so few and so inconspicuous, in the face of the steady adherence to the federal government and respect for its laws, that the argument would fall to the ground at once, had it not the apparent countenance of the present sharply-defined division. This circumstance, however, fails to give it any real weight, because the division follows so closely the line of demarcation between slavery and freedom, and because when that line disappears, and the anomalous interest which created the rebellion shall have happily ceased to exist, there will remain absolutely nothing to prevent the thirty-four States from becoming as completely "homogeneous" as the eighteen free States are to-day. All will admit that, with the possible exception of France, there is not a nation in Europe which possesses the desirable quality implied by that extremely awkward word in as great a degree as the Northern United States. Yet if difference of commercial, manufacturing, and agricultural interests, — if diversity in laws regulating internal affairs, — if the strongest contrasts in

* See the clear statement of this fact in the inaugural address of President Lincoln.

tastes, habits, and modes of life, — if the widest variation in climate and geographical position among a people stretching from the Atlantic to the Rocky Mountains, ay, and thence to the Pacific, — could alienate one portion of such a people from another portion, or distract or divide the allegiance which all should bear to the central government, should we have seen, almost within the limits of a single generation, the rapid and continual advance of this people westward, and the formation of State after State from the wilderness of yesterday, each with its own conscious future bright with the promise of strength and vigor, and all without a whisper in one of them of any other ambition but to be soonest admitted a loyal member of the great family of States, and farthest to advance the general welfare and glory? Does any intelligent man, honest at the same time, believe that anything has prevented a similar exhibition of good faith and honorable ambition in the States which have been admitted south of that ill-omened line, but the adoption of a domestic theory and policy which has no moral right to exist at all, and with which nothing honest or worthy ever can be or ought to be "homogeneous"? It is a fair question, if any institutions other than the freest and most enlightened could have existed for seventy years under such a burden. Mr. Mill, in his admirable book on "Representative Government," says: "In America, all the conditions for the maintenance of union exist at the highest point, with the sole drawback of difference of institutions on the single but most important article of slavery." He might have added, that, if the North had believed slavery to be a permanent and unalterable fact in the Southern States, there would have been but one answer to any demand of the South for a separation, and that would have been, "Go, in Heaven's name, and relieve *us* at least of the weight you choose to carry." It was because the recognition of slavery as a transient evil was universal, and the difference of opinion was on the single question how to deal with it in such a manner as to escape with the greatest certainty the perils which must follow premature or unwise legislation, that the North has borne and forborne even to the end, of which we trust we already see the beginning; and if Mr. Spence were but half

as candid and friendly as he professes to be, he would see and acknowledge that the examples of the old federations of history — which have been formed for purposes of offensive or defensive warfare, out of states which had possessed separate nationalities for ages, and have fallen asunder when the special ends for which they united had been more or less completely answered — have no just parallel in the formation, history, and growth of the United States.

Mr. Spence tells some mournful truths in regard to our national defects of character and manners, of which we are only too conscious, and whose existence we must frankly admit. We have never assumed, except perhaps in the inflated utterances of our Fourth of July celebrations, that the great machinery has worked perfectly as yet, without noise and occasional jar among its many and complicated members. The *régime* which still excludes from the highest places the worthiest men; the lack of dignity and elevation in the proceedings of Congress; the savage and sordid avarice which governs the system of "rotation in office"; the prevalence of the shameless and detestable business of "lobbying," — all these abuses, and more as bad, still continue to mortify our just pride, and to make us painfully aware that much wisdom and labor are yet to be given to the work of perfecting our republican system. But it is by no means certain that all or most of these abuses are peculiar to that system. Most of them, we think, may be recognized, under varying conditions, not always equally conspicuous, in all forms of government, from democracy to despotism. But it is the fortune of a republic, whether for good or ill we need not say, that its defects are visible and conspicuous; while under a despotism the deadliest influences may be at work at the heart of the state without once ruffling the placid and glittering exterior of the court. Very nearly all the abuses which Mr. Spence is so fond of exhibiting were in full flower when De Tocqueville was in the country, and his intelligent mind did not fail to observe and to deplore their existence; yet they did not prevent his writing these words to a friend in France, which do not sound much like the words of one who feared for the stability of the fabric he had come to examine: "Christianity rests

here upon a firmer basis than in any other country that I know, and I have no doubt that the religious element influences the political one. It induces morality and regularity; it restrains the eccentricities of the spirit of innovation; above all, it is almost fatal to the mental condition so common with us, in which men leap over every obstacle, *per fas et nefas*, to gain their point." * After all, perhaps the best claim we can make for our institutions is that they provide for their own amendment whenever the people, who alone are directly affected by them, shall be satisfied of the need.

The first chapter closes with an emphatic condemnation of the rule by which the Cabinet ministers have no place or voice in Congress; and Mr. Spence's remarks on this topic seem to us so just, that we venture to quote them at length, and to say further that the subject is one which might at a proper time be advantageously considered by the government and people.

"We have seen that, under the system in force, ability is excluded from the highest office in the state; there is another cause which very largely excludes it from the legislative chambers. The ministers are not permitted to take part in the proceedings of Congress. To judge of the effects of this, we have only to imagine the result of excluding the whole of the ministry from the House of Commons. The men who of all others have access to the sources of information, who are thoroughly conversant with details, and who possess the requisite experience and ability to guide the debates of the assembly, — these men are not to come within its walls. And this deprivation of ability is a small evil compared with others that result. Who can put a question to a minister who is never there to be questioned? There is a complete absence of that sharp and effective responsibility to the people through their representatives which we should hardly like to exchange for a system of secret management of the House by parties who can never be seen face to face. Thus no minister can introduce and explain his own measure, he must do so second-hand. He cannot be made to avow his own opinions, — no responsibility can be fixed upon him. He must work the business of the government through private arrangement with members of the House, and use patronage to supply the place of ability or knowledge. We have some impatience of the

* Letter to Count L. de Kergorlay, dated Caldwell, N. Y., June 20, 1831. *Vide* Memoir and Remains, Vol. I.

very idea of what is called 'back-stairs influence,' and what shall we say to a system in which the whole business of the government is conducted on the back-stairs principle, and where, indeed, there can be no other?" — p. 42.

Here is some exaggeration, no doubt, but the objection has force, and the views are those of every British writer who has had occasion to introduce the topic. Hallam, in his "Constitutional History," speaking of the threatened exclusion of the ministers from the House of Commons, in 1693, says: "Such a separation and want of intelligence between the crown and Parliament must have destroyed the one and weakened the other. It is one of the greatest safeguards of our liberty, that eloquent and ambitious men, such as aspire to guide the councils of the crown, are from habit and use so connected with the Houses of Parliament, and derive from them so much of their renown and influence, that they lie under no temptation, nor could without insanity be persuaded, to diminish the authority and privileges of that assembly." The present is no time for attempting reforms in the Constitution or customs of the House of Representatives; but we hope the day is not far distant when the settlement of the mighty issues which now engage all the wisdom and all the strength of the nation shall leave its wisest minds at liberty to take such topics into consideration.

In the chapter which follows, professing to treat of the effects of the institutions of the country on the national character, our author records a great variety of hasty judgments, made up at a distance of three thousand miles from the scene of action, chiefly from false or exaggerated newspaper accounts, and not in any case, so far as we can guess, from personal study or from authentic information, all agreeing in the main point, *quod erat demonstrandum*, that very little, if anything, is left in the United States, either of institutions or people, that is worth preserving. Here are a few examples of these decisions: — "It is the established practice of the country, in the face of ample records of the facts, wilfully to pervert its own history, in order to satisfy this desire for exaggeration. It is not easy to imagine a more deplorable spectacle than a people thus employed in self-deception, receiving their knowledge and forming

their opinions on the exaggerations of declaimers, each striving to outvie his predecessors." (p. 50.) The authority for this generalization is an account of a Fourth of July Oration which Miss Martineau once heard and described. Again: "The Union has now a Paris. Whoever has studied the progress of the momentous events now occurring will have seen that the Washington government simply follows the impulse of the people; . . . . . but the people of the North, in their turn, implicitly follow the lead of New York. Whatever decision is formed there flies over the land by telegraph, and is adopted before the day is out." (p. 57.) The collision between the civil and military authorities in the Merryman case, the seizure by the government of the telegraphic records, the confiscation of rebel property, and certain unfortunate acts of violence in New York and elsewhere during the excited days of April, are of course pressed into service, as conclusive evidence that, "whatever may have been the love of liberty in other days, it has become a thing of the past." (p. 60.) The assault on Mr. Sumner in the Senate, (the fact of the assailant being a Representative from South Carolina is forgotten,) and the murder of the District Attorney at Washington by a New York Representative, are cited as natural results of the political system; and while the former is described as having occurred "in open session," the latter is said to have been rewarded by "the adoption of the murderer as an object of public sympathy and admiration," and his elevation to the rank of Brigadier-General in the Northern army. These we cite as instances of the way in which Mr. Spence, by a skilful study of the "art of putting things," is enabled to give the impression he wishes to convey without often resorting to direct falsehood.

His inquiry into the causes of disruption is ingenious and plausible, and one which might have been made and promulgated by Jefferson Davis as a public document, without any imputation of inconsistency. Entirely in the interest of the South, entirely unjust to the character and motives of the North, which so slowly and timidly advanced to the election of Mr. Lincoln, it makes an assumption of fairness and candor which is ill sustained by the entire absence of any allusion to the condition of the rebellious States, which has made it for years past

a more dangerous thing for a Northern man with Northern principles to travel freely in South Carolina or Alabama than in Madagascar, — ill sustained by the ready forgiveness of such crimes as blacken the records of the Buchanan Cabinet, by the elaborate argument for the inferiority of the negro race, by his abuse of the Abolitionists, by his assertion that "the present contest is not (on the part of the South) for the furtherance of slavery," and his arraignment of the North (just enough by itself) for the protection and favor it has bestowed upon that institution, and by his claim for the "superior intellectual culture of the South." The anti-slavery feeling of the North is accounted for in the following easy manner. "The Democrat supports slavery, — the object of the Republican is to defeat the Democrat, — therefore he must needs object to slavery as a party matter." A precedent for the present rebellion and its proper treatment is found in the Nullification Act of South Carolina in 1832, on which occasion he declares that "the State was right so far as justice was concerned," and that "the fact is admitted by the ablest Northern writers of the present day," and was so far admitted by Jackson and the Congress, that a conciliatory policy was adopted toward the rebellious State, and "a measure for the removal of the grievance" was introduced by Mr. Clay, and "pushed through with unprecedented rapidity, by an evasion of the rules." Such are the tone and manner of this inquiry, which closes with the declaration (p. 246), that "secession is a just and clear constitutional right of the States, and no violation of any enactment of the federal compact."

Following this is a long consideration of the conditions of the struggle for the preservation of the Union, in which the blunders and misstatements are so thick-set that we can only indicate a few of the most flagrant. The advantages of the conflict are found to be almost wholly with the South, — the numerical and financial superiority of the North being counted rather unfavorable than otherwise. The industrial conditions in the South are greatly in its favor; — the rebels are rich in internal resources, and if they were poor, all the better; "history affords ample evidence that the absence of wealth has proved no barrier to the defence of an invaded country."

(p. 255.) Again, the discipline of the troops is much more easily maintained in the Southern than in the Northern armies. "The Northerner will obey with impatience under feelings of restraint that seek escape, — his position is repugnant to all his former theories, — impatient of control as a child, it is impossible he can be docile under the bonds of discipline. . . . . The Southerner, on the other hand, will accept his position, whether to command or to obey, as the proper order of things." (p. 261.) The blockade is unconstitutional as well as foolish. England blockaded France twenty years, and in the midst of it all France achieved her greatest triumphs. It may be injurious to the South, "but to the North disastrous in the end," — by stimulating privateering, which may become an intolerable nuisance to Northern trade, — by paralyzing the Northern manufactures, and leading in the end to the interference of foreign powers. (p. 273.) The reduction of Charleston is wellnigh impossible, and useless if accomplished. The Mississippi expedition is ludicrous, because troops cannot be sent in the river boats, and to construct a flotilla which could face artillery, and at the same time convey the requisite number of troops, would be the work of years. He pronounces the emancipation of the slaves "an impotent act of vengeance," says that the proclamation of Fremont "copies the ferocity of a Mexican Creole," and quotes with admiration the defiant speech of Mr. Iverson of Georgia in the Senate, last winter. He scoffs at the idea of any natural friendship between England and the Northern States, gives a rancorous sketch of the numerous offences committed by us against the dignity and interest of Great Britain, and concludes finally that "the attempt to subdue the Southern country and people is a lamentable delusion, attempted not as the decision of calm judgment, but the rash result of that unreasoning excitement to which the people of the North are now subject," and that his "clear conviction" is "that nothing is more essential to the real welfare of the American people than a termination of the American Union."

After spending so much time in this somewhat tedious review of the book of Mr. Spence, it will be unnecessary to make any extended remarks upon its merits. This is rendered all the more needless by the transparent character and

aim of the book, which is a singularly characteristic illustration of the curiously divided duty which the manufacturing and commercial Englishman sees in this strange crisis. His tastes, his feelings, his natural sympathies, all incline him decisively to the Northern side — that is to say, to the national side — of the question; but his manufacturing and commercial *instincts* are stronger than tastes, or feelings, or sympathies, and determine irresistibly the direction of his support. So, while declaiming with fine emphasis against slavery, he opens wide arms of welcome to the envoys of the Confederacy which declares slavery to be its corner-stone. So, while complaining bitterly of the long series of insults and injuries which England has borne at the hands of America within a generation, he carefully forgets that the men who, if any, instigated those indignities are now the traitors, of whose cause he is willing to become the advocate and patron. And as the typical Englishman is unmistakably manufacturing and commercial, it follows that the national bent, in a case like the present, is precisely that which finds just and clear expression in the book before us. We do not wish to deny or to forget that there have been books published in England within the past year which take precisely the opposite ground, and recognize with perfect candor and freedom the magnitude of the issue, and the justice of the Northern cause. But no man can believe, in the face of all that has been written and spoken in England since the commencement of our troubles, that such books represent the people of Great Britain; and he must have studied human nature to little purpose who, in reading the books and the journals which do represent it, feels any lasting wonder at the warmth of their sympathy with the rebellious South, or at the misrepresentations and calumnies in which they indulge toward the loyal North.

Let us now turn, and we confess to an infinite relief in doing so, to a brief analysis of the work of M. de Gasparin, of which a short notice was contained in a former number of this Review, but which, from the character of its author, as well as from its own merits, deserves a more emphatic judgment than we were able at that time to give it. Its author has never travelled in America, and is known here chiefly by

his book on Slavery and the Slave-trade,* a serious and earnest work devoted to the advocacy of emancipation in the French West Indies, according to a plan proposed and elaborated with much thought by the author, and which bore on its title-page this motto from the Italian theatre, of which the application was at once felicitous and pungent: —

"Ricardo. — Io nol posso —
Giorgio. — Tu non vuoi."

M. de Gasparin, after the publication of this work, labored diligently with pen and voice for the accomplishment of this worthy end, until he had the happiness of seeing his labors meet with substantial success. Since the re-establishment of the Empire, he has lived, for the most part, in a dignified retirement, — of which Miss Bremer, in her last-published book, gives us a pleasant glimpse, — interested in whatever social or political movement seems to promise any real advance in the halting and irregular march of the race toward civilization.

The present book is not quite free from the inevitable errors and misapprehensions of an author who writes of a country he has never seen, and of a people he has never studied face to face. Also, in the quick march of events since the book was published, many of its speculations have quite lost their value, except as records of the extraordinary excitement and bewilderment of the public mind which made them possible; and it is a noticeable fact, that this book, of which the Preface is dated "Orange, March 19, 1861," already seems more like a production of the past than did the work of De Tocqueville two years ago. But the errors we can overlook, and the speculations, whether verified or disproved by subsequent events, never formed the chief value of the book, which seems rather to consist in its generous enthusiasm for a noble cause; in its singular freedom from any tinge of political bigotry; in its joyful and almost triumphant perception of the greatness of the movement by which this people seek to throw off an ignoble burden of subserviency, and to establish on a firmer foundation than ever before the great principle of self-government and the supremacy of constitutional law; and in its recognition

* Esclavage et Traite. Paris. 1838.

of the fact that the struggle and agony of the conflict, far from being taken as evidence of approaching dissolution, should be regarded as evidence of new life, and a promise of renewed strength and health. "On vient de sauver les Etats Unis!" he cries, with ardor, — I repeat it with profound and deliberate conviction, — "the United States have been saved." And here is the point upon which the author takes issue with those in his own country, and elsewhere in Europe, who read the signs of the times as indicating the speedy ruin of the republic whose growth and development had for three generations not ceased to astonish and puzzle them. The croakers are always the most numerous body whenever a government or an individual is overtaken by disaster, and never hesitate to predict with confidence the speedy end of all things. But in this case our author assures these prophets of ill, with a confidence equal to their own, that they are to be disappointed, — that the patient is young and vigorous, that the greatest danger is past, and the future full of hope. Let us here give his own words.

"The common opinion is that the progress of the United States ceased with the election of Mr. Lincoln, and that since that period they have only declined. It is not difficult, and it is very necessary, to prove this opinion to be entirely false. Before the recent victory of the opponents of slavery, the American Union, spite of its material progress and its apparent prosperity, was suffering from a dreadful disease, which was very near proving fatal; — now an operation has been performed, the pain has increased, and the gravity of the situation reveals itself for the first time, perhaps, to careless eyes. Shall we say that the situation was not grave until it seemed so? and must we deplore that violent crisis through which alone a cure was possible? *I* do not deplore, — I admire! I recognize in this vigorous reaction against the disease the moral health of a people accustomed to the laborious struggles of liberty. Such an uprising of a people is one of the most rare and marvellous spectacles to be found in the annals of the race. Commonly, nations which have begun to waver lean constantly more and more to their fall. It is a rare vitality indeed which enables one to recover itself and stand erect after the decline has once begun. . . . . Till lately the United States were marching straight to their ruin. Till lately we had enough to lament in thinking of them, — we could count the steps which they had yet to take, to complete the alliance of their destiny with that of an accursed institution which deserves only to per-

ish, — of an institution which corrupts and destroys all that it touches. To-day a new prospect is opened to them; — there must be struggle, labor, suffering; the crime of a century is not to be atoned for in a day; the path of national justice once lost is not to be regained without effort; a nation cannot, more than a man, break away without sacrifice from guilty traditions and the complicities of ages, but it is nevertheless true that the hour of effort and of sacrifice, painful as it may be, is yet the hour of deliverance. The election of Mr. Lincoln will be one of the great points of American history, — it closes the past, but it opens the future. With it has commenced, if only the same spirit be maintained, — if excessive concessions shall not succeed in undoing what has been done, — a new order of things, at once more pure and more great than that which has come to an end." — pp. 3 – 6.

This is very noble. Our enemies, foreign and domestic, would say it is too enthusiastic to be philosophical, and would extend their objection to the whole of the book, which is pervaded throughout by the same spirit. But we shall doubtless be excused if we prefer the honest enthusiasm of friendship to the calmness which proceeds from the calculations of a selfish ambition, and of which we have seen so admirable examples in the treatises with which the London Times has favored us for some months past, as well as in some of the oldest and most respectable of the quarterlies of Great Britain. As our friendly author gracefully says, — "The side which is beautiful is often the side which is true; if the eyes of Love are bandaged, I perceive a triple bandage over the eyes of Hate. Charity has its privileges, and I do not think myself less favorably placed than another for judging the United States because they inspire me with a thoughtful sympathy, or because, having mourned over their faults and trembled at their perils, I have joyfully hailed the noble and manly policy of which the election of Mr. Lincoln was the symptom."

That the enthusiasm of M. de Gasparin is not the blind partiality of a partisan, and that his eyes are as sharp to see the faults as the virtues of the American people, take the following passage as proof: —

"I do not admire vulgarity, and I do not admit that it is the necessary companion of energy; the tone of the public journals, and that of the debates in Congress, are often such as to excite a just reprobation.

There is also in the United States a tendency to *level downward* (*un nivellement par le bas*), a jealousy of acquired superiority, and especially of hereditary distinctions, which proceeds from the worst feelings of the heart. What is still more serious, the more kindly and tender side of our nature, that which shines in the pages of the Gospel, is too seldom seen among this people, with whom, nevertheless, that Gospel is held in reverence, but in whom the labors incident to so enormous a growth have developed the active virtues at the expense of the more amiable. The Americans are cold (*secs*), even when they are good, benevolent, and religious." — p. 79.

The author makes no secret of his detestation of American slavery, and of those men in the North who have been its advocates and supporters. Some of these still remain in the sheltering obscurity and tolerance of our Northern cities, and by such the book is doubtless set down as the work of a "fanatic" and a "man of one idea." Nothing could be farther from the truth. Slavery he sees and declares to have threatened for more than one generation the ruin of the nation. In the defeat of slavery at the last election he recognizes the cause, and the only cause, of the rebellion, and in the uprising of the loyal North against the rebellion he reads the approaching doom of that ancient enemy of civilization, and the beginning of the reign of real freedom. It is the old cry of the Marshal of France, "Le roi est mort, — vive le Roi!" This, it is true, is the theme and burden of the whole melody, and with it is mingled so much of cordial good-will and of congratulation toward the people to whom he gives the credit of so great a movement, that it is hard to see how any American whose loyalty is more than a pretence can read this book without some emotions of gratitude to a friend who sends us such words of lofty cheer in a time of need.

As we have said, a considerable portion of the work is given to the direct consideration of slavery in its character of chief conspirator, and of the questions which must arise either from its failure or its success in achieving its desired independence. But throughout this discussion, though the tone is earnest and zealous to a remarkable degree, there is yet no trace of fanaticism or of bitterness. He is always ready to acknowledge the natural influence of birth and education upon the

opinions of those in the South who labor for the support and extension of their favorite system, and to confess the probability that the best of those whose wrath is excited by their misdeeds might, with similar precedents, have been similarly guilty. "Severity is almost always a fault of memory. We blame others without pity only when we begin by forgetting our own history. We Frenchmen, who have with such difficulty freed our own slaves, — we who have tried to repeal in part, by our colonial regulations, the liberty once granted to the blacks, — who have allowed the recruiting by purchase on the coast of Africa, — nay, who once organized an expedition charged with the duty of re-establishing slavery and the slave-trade in San Domingo, — we whose conscience is burdened with these misdeeds, are bound to use all possible consideration toward the States of the South." (p. 111.) A single extract like this is surely sufficient to remove any suspicion of fanaticism, — a reproach which has in this country been so often and persistently misapplied as to have become almost synonymous with steadfastness and honest self-devotion, — and the same spirit of Christian tolerance and forgiveness is to be noticed throughout the whole work.

We have dwelt so long on the tone and temper of this book, that we have left ourselves space only for the briefest abstract of its plan. The first six chapters are taken up with the development and proof of the proposition laid down in the Preface, and which we have quoted above. The succession of reasoning is clearly enough indicated to us who know the sad history by heart, by the titles of the chapters: — I. American Slavery; II. Whither the United States were going before the Election of Mr. Lincoln; III. What that Election signified; IV. What must be thought of the United States; V. The Churches and Slavery; VI. The Gospel and Slavery. Of these six chapters the conclusion is briefly this, — that the position which the North took in the election of 1860, and took just in time, was delayed by many causes, chief among which were the apathy of the great religious bodies on the subject of slavery, and the direct interest which the commercial cities felt in its continuance, and that it was in spite of the opposition of these two great forces, theology and commerce, that

the people of the North, seeing the danger, resolved to avert it if yet there were time. They made the effort, and "the nation was saved." All this seems very trite, no doubt, to one who has been steeped for years in the bitterness and intensity of these discussions; but let us not forget that, up to this time, even the cultivated classes of Europe have had but the dimmest possible ideas on the subject of American politics, and that, if we care for their opinion, it is important that they should be enlightened as to the facts. It is this service that M. de Gasparin has performed for us, with a clearness and point which most American writers would have found it hard to excel.

Having in the first half of the book given this succinct historical review, he devotes the remainder to the consideration of the actual crisis and its probable consequences. Here let it be remembered that the book was published at a time when only six of the eleven rebellious States had declared their treason, and before the attack on Fort Sumter had commenced the actual conflict; so that, with the most remarkable precision in the statement of facts up to the time of writing, the author had slight grounds for judgment as to the probable issue of the troubles which were then but just beginning. This he frankly confesses, disclaiming at the outset any pretensions to the gift of prophecy. He nevertheless attacks the future courageously, and after a rapid survey of the condition of affairs at the time of the inauguration, including a scorching review of the conduct of Mr. Buchanan and his Cabinet of traitors during the four months previous to that event, and expressing the utter astonishment with which all foreign eyes beheld the mad race of the South in their road to ruin, he makes a very clear and succinct statement of the argument for the right of secession, exposing its utter fallacy, and imagining the condition of a confederacy of states which should start with a pronounced avowal of this right, and where each state would always be able to hold over the others the threat of separation in case of a refusal to come to its terms. Their Congress, he says, would be like those old horse-back Diets of Poland, where a single contrary vote brought everything to a dead-lock, so that there was no alternative but to finish the voting by sabre-strokes. He figures the great slave empire which rises in the

heated imaginations of the Southern leaders, "stretching from the Delaware to the Uraguay, — a colossal negro-jail, continually supplying itself by a slave-trade not less colossal, — the barracoons filled once more on the coast of Africa, the hunting of fugitives organized on a scale hitherto unknown, — squadrons of slave-ships transporting their wretched cargoes under the Southern flag, proudly spread to the breeze; — such is the project in its majestic unity; such the dream which the extreme South once hoped to realize through its union with the North, and which it now hopes to realize through a separation." (p. 189.)

Our author proceeds to show the manner in which the attempt at carrying out this scheme would prove ultimately fatal to its originators, — assuming that some such policy must be adopted whenever the present programme, which is from the necessity of the case merely temporary, should be rendered useless. By the revival of the foreign slave-trade the domestic and internal traffic between State and State would nearly cease, while at the same time the price of slaves must fall, causing heavy loss to planters throughout the confederacy. Hence would surely arise a radical division of interest, and consequent dissensions. A new South and a new North would be formed; — "they believe themselves united, — they proclaim themselves united, up to the inevitable moment when they discover that they have neither the same object nor the same spirit: nothing divides like a bad cause which turns out badly." Next, the filibustering by which the territorial extension must be effected, if at all, would provoke the direct interference of foreign powers, predisposed to interference by natural disgust at the creation of a nation with such a programme. The extreme poverty of the South, the impossibility of sustaining any practicable system of revenue, the total absence of immigration, are reckoned as certain causes of decline and of dissension. Finally, the influence, direct and indirect, of the Northern States, with their free institutions, coupled with the varying interests of the various tiers of slave States, — these producing, those consuming, — would in a few years insure the return of the border States to the old Union, and the consequent loss of

the most compact and productive part of the population. "Unhappy country, which a blind passion, and still more an overweening pride, has plunged into the gulf of crime and misery! Poor excommunicated nation, — its principles accursed, its flag suspected, its contact shunned, its constantly recurring humiliations hardly compensated by some scanty profits, — the heart bleeds at the clear, certain, inevitable future that awaits such a number of men, who are, it should seem, not so much guilty as demented. With nothing in common with the rest of the world, with a police system along their frontier to resist the fatal introduction of liberal ideas, what portion of the world can have with them either political or moral or religious sympathy?" (p. 246.)

This picture of the wretched coil in which the rebel States have wound themselves is graphic, and in the main undoubtedly true, though the author lays, very naturally, more stress on the weight and power of foreign opinion than has been justified by the subsequent events. The "maledictions of the universe" have not yet descended on the Southern cause, and will not descend until that cause becomes hopeless. The Southern "Cabinet" has not yet begun to tremble at the hostility, though they may have been bitterly disappointed by the continued neutrality, of the European powers. Unhappily the conscience of M. de Gasparin is not yet the conscience of England, or even of France.

At the middle of March, while we were yet resolutely closing our eyes to the prospect of war, our author could say: "Let us not deceive ourselves; the chances of civil war have been increasing for several weeks with frightful rapidity." In case of war, he reckons the relative positions and advantages of North and South very differently from Mr. Spence, whose views we have given above, (and who had, moreover, the observation of six months of actual war to guide him,) but does not endeavor to predict the issue of so terrible a conflict. He is nevertheless convinced that, even should the Southern States succeed in establishing their independence, they will fail of the consolation of having ruined the United States, which must still keep their rank among the nations, with all the old traditions and all the actual power, — "of one

mind, masters of themselves, knowing their own needs, and putting to the service of a noble cause a constantly increasing power." But in the face of such a contrast in all the elements of national strength, the author does not believe in the permanent separation of the Union; and, besides, he believes that the reciprocal interest of the North and South in each other would of itself operate eventually to prevent such a conclusion. "In the United States, each portion stands in need of the other portion, — agricultural, manufacturing, commercial, they form together one of the most homogeneous countries that I know. I cannot believe that such a country is destined to be permanently divided, and that too in an age when the tendency is rather toward the union of small nations than toward the severance of great ones." (p. 253.)

A chapter follows on the coexistence of the white and black races after emancipation. Its views are intelligent and humane; but yet it seems to us that the most philosophic discussion of such a subject fails inevitably of any practical result, and that so many conditions will enter into the solution of that vast problem, which are at present utterly unforeseen, and must remain so until the question comes up for settlement, that we may as well pass the whole subject over at once into the list of problems whose only solution is empirical, and trust, with M. de Gasparin, that, if there shall ever be wisdom and courage enough to meet and master the question of *emancipation* itself, there will also be enough to solve the supplementary question of the coexistence of the races in freedom.

The book closes with a noble chapter on the regenerating influence which the present crisis must needs work on our political institutions and national character. The nation has come under another influence. That of the South was evil, and in the long period of its continuance had compromised everything. That of the North now begins, which is to elevate and save both institutions and character. Gasparin confesses he has no partiality for the republican form of government, — he prefers the English constitution; but he is careful not to put form above substance. Moreover, he thinks he sees, with De Tocqueville, that France, spite of her present absolutism, tends toward democracy; and he says that, in

view of such a possibility, it becomes intelligent Frenchmen to examine and understand the working of democratic institutions in America, and not to encourage a contempt for Americans because of them. The coarser results of democracy — its rudeness, its violence, its levelling propensities, and the like — are on the surface, and must gradually disappear. The loss of individuality in the mass, the absorption of private conscience by the state, the tyranny of the majority, — these are graver evils, and the probability of safely avoiding them has increased immensely with the movement by which the nation has cast off its old subserviency to the Southern power. This chapter is worthy of De Tocqueville, and is nearly or quite free from the enthusiasm of the earlier portions.

With two more extracts we must take our leave of this most interesting book. The first is a serious warning to England against forsaking her ancient ground as the champion and advocate of Freedom against Slavery: —

"Let England take heed! She had better lose Malta, Corfu, and Gibraltar than abandon the glorious position which her long struggle against slavery and the slave-trade has gained for her in the esteem of the nations. Even in this, the day of iron-clad frigates and of rifled cannon, the first of forces is yet, thank God, the moral force. Woe to that nation which consents to let go that force, and to sacrifice its principles to its interests. From the beginning, the enemies of England, and they are many, have prophesied that the cause of Cotton would be heavier in her balance than the cause of Justice and Liberty. The world prepares to judge her by her conduct in the American crisis. Once more, let her take heed!" — p. 392.

The other extract is one in which we are assured of the sympathy and good-will of France: —

"It is from a distance that we express our sympathy, but it concerns events of which one judges better perhaps from a distance than close at hand. Europe is well placed for appreciating the actual crisis. The opinion of France in particular should have some weight in the United States. Independently of our old alliance, we are perhaps the nation most interested in the success of the Union. There are friendly voices which here and there in our reviews and journals carry to it the cordial expression of our good wishes. In wishing the final triumph of the North, we are hoping for the welfare of North and South, — for their common grandeur and lasting prosperity." — p. 408.

If we are right in accepting such books as those of Mr. Spence and M. de Gasparin as in some degree representative of the feeling and mode of thought adopted, whether consciously or unconsciously, in their respective countries, we have only another instance (more pronounced and decided than those which have preceded it, in proportion to the unequalled magnitude of the occasion) of the singular variance which has always existed between the French and English views in regard to the United States. We are not speaking now of friendliness and aversion, of cordiality and coldness, of interest and indifference,— though just now, unfortunately, we do not lack for evidence that our late growing cordiality with Great Britain has been more sentimental than solid. But those Englishmen who have visited this country with the view of book-making (and their name is legion) have in general passed by all consideration of institutions with a hopeless chapter or two, to seize upon the trivial peculiarities of speech, of dress, of personal and daily habit; and have been contented if, on reaching home, they could send to the press their descriptions, brilliant or stupid as the case might be, of these crudities, and their prediction of certain and deserved ruin to the institutions which could produce them. Here let us say that we trust and believe that we have no undue sensitiveness in regard to the comments and criticisms of foreign writers on these topics. Toward Mrs. Trollope, Captain Hall, Mr. Dickens, Mr. Colley Grattan, and the rest of the numerous company of more or less intelligent critics, we have never felt the least tinge of that bitterness which was so generally excited by their books. We are perfectly assured that even the strictures of Mrs. Trollope did us unmixed good as a people, and had a much greater effect than was ever conceded to them in mitigating certain of the more startling peculiarities of that portion of the people of America which was most outraged by their publication. And we should be sorry to deny, what it is nevertheless painful to confess, that the "American Notes" of Mr. Dickens, though filled with the most laughable, and doubtless intentional exaggerations, and in the main with no more pretension to the character of an authentic narrative than the "Pickwick Papers," did nevertheless contain some perfectly se-

rious criticism on the tone of society and the conduct of affairs, in some most important particulars, which no true American could ever read without acknowledging with shame and sorrow their disgraceful truth. Such was that chapter toward the close of the book, on the character of the newspaper press of the United States, — a chapter which, we regret to say, is very nearly as true to-day as it was twenty years ago. We believe that the criticism of strangers, if intelligent and honest, is wholly beneficial, and more so than the same criticism from native writers. And yet is is impossible not to see that even the most friendly of English observers, though keen enough in detecting the trivialities of which we have spoken, have been utterly blind to the stronger peculiarities of constitution and laws, and to the principles which make their foundation; while so prolonged and constant a residence at the centre of affairs as that of the "Times Correspondent," an unusually practised and intelligent observer, seems to have qualified him only for the most complete misapprehension of the present, and the most stupid prophecies of the future. Such a uniform failure in apprehending the worth and the effects of our institutions cannot without absurdity be attributed to incompetency in a nation which has produced such writers as Bentham and Adam Smith in the past, and as Buckle and Mill in the present, — the rather as those institutions rest on the same ground of constitutional liberty and representation with their own; — and, debarred from so easy a conclusion, we cannot be far wrong in believing that it may be due, partly at least, to a certain jealousy (stoutly denied, but not the less probable) at the unexampled growth in wealth and consideration which has resulted from those institutions, and to an uneasy consciousness that much in their own forms might profit by a revision and comparison which the pride of Englishmen will not yet allow them to undertake. Thus the very likeness and relation between the two nations has operated as a bar to intimate sympathy, and to candid and intelligent criticism.

But with France the case has been widely different. From the days of Lafayette down through those of De Tocqueville to the present, the French mind, always more subtile and philosophic than the English, has seemed to delight in recognizing

with a certain surprise and curiosity the peculiarities of the young republic which began, continued, and is likely to end, in utter repudiation of every maxim of French policy, and every canon of French taste. There has never been much French travel in the United States, nor any intimate literary relations between the two countries; — our boisterous politics must have disgusted Frenchmen at least as much as Englishmen, whose own are not quite free from noise and tumult; — our offences against good taste in the conduct of domestic affairs cannot have been less conspicuous to the most polite people in Europe, than to that which is perhaps the least polite; — and yet we find such men as De Tocqueville, Brissot de Warville, Michel Chevalier, Laboulaye, and De Gasparin inquiring with the liveliest interest into the working of our political system, and into the public and private manners of our people, and discussing, not always favorably we admit, but rarely with serious misapprehension, and never with bitterness, questions which the English writers have passed by in contemptuous silence, or have made the subjects for sneers and abuse. Remembering these facts, we shall not be surprised that the same contrast which established itself in the days of the Revolution, and has existed more or less visibly ever since, reappears to-day, in stronger colors than ever, in the dignity and patience with which the French nation has awaited the event of the present struggle, and the bitter and sordid selfishness which the British have exhibited under the same trial.

From the strange and stern experiences of the time, this government and people will have learned, among other lessons of greater or less importance, two which they will not be likely soon to forget; — first, that no people, however perfect in theory its institutions, or however favorable may seem the conditions under which its political and social life moves on, is ever so safe from internal disturbance and revolt as to be justified in neglecting the means of enforcing, on the largest scale, its legitimate authority; and secondly, that, when such disturbance comes, the nation affected can never look for any honest expression of sympathy or support from foreign governments beyond what is prompted by their clearest interests. In our long period of unbroken prosperity, we had so perseveringly

put far from us all recognition of the possibility of such a thing as actual rebellion under a popular government administered like our own, as to have quite lost sight of the great and lamentable fact that material interest is still in every community a stronger motive for political action than any regard for plighted faith, or for the rights of majorities, — a fact quite sufficient to account both for the rebellion at home, and for the support it receives abroad. It was because we had lost sight of this great fact, that, during those dreary months when the South was getting ready for the conflict, the people of the loyal States looked on at those ominous preparations more in wonder and incredulity than in apprehension, — and at the wickedness of the conniving government at Washington with the charity of a community utterly blind to its most obvious results. It was because we had lost sight of this great fact, that, after the struggle had fairly begun, after the breathless and agonizing apprehension with which the people followed the rush of the three-months' men to the capital, — when its safety was at length assured, and the nation with a sigh of relief put by its first hot enthusiasm and settled to its work, of which even then it failed to realize the gigantic proportions, — we then looked across the water for the expected words of good cheer from "the mother country," and were smitten with a keen disappointment when, after a most unpromising silence, we found, first, the proclamation of neutrality, next, an ill-concealed popular sympathy with the South, and then misrepresentation of the character and aims of the North, developing rapidly into open and avowed advocacy of the rebel cause, coupled with the most malignant and brutal abuse of the government and the people of the loyal States. If on the Continent, where governments and people are seldom on so good terms with each other as in England, we saw now and then some evidence of a popular sympathy with the national cause, we were not long in discovering that the courts and ministers of Europe were not likely to look with much disfavor on the expected humiliation of a rival power whose traditions were those of popular liberty; and, with the exception of the cordial note of the Russian Minister, every incident of diplomatic intercourse since then has confirmed that impression.

The disappointment was bitter, but wholesome. We have cared too anxiously for the opinion of foreign nations, and have often claimed their admiration on grounds wholly unworthy the enthusiasm or the pride of a great people. If now where we looked for friendship we find only indifference, and where we looked for neutrality we find secret or avowed antagonism, it may save us from the complications which might well arise from foreign alliances, and keep our eyes and thoughts turned steadfastly to the great work and its clear and unmistakable issue. Then we shall prove to foreign nations, what we began by telling them, that our motive is not ambition, nor love of power, but a deep sense of responsibility to the cause of the people and of self-government throughout the world. When this shall have been proved by great deeds and generous sacrifices, and the sublime work of restoration and of pacification shall have been accomplished, — then, as the nation moves forward once more in the majesty of a new life, it will be with no regret, but rather with a proud satisfaction, that we shall look back, and remember that we have fought our way through the darkness alone, and have come forth into the light, invincible, and ready to meet friendship or enmity with equal serenity.

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ART. VIII. — 1. *The Constitution of the United States of America, with an Alphabetical Analysis; the Declaration of Independence; the Articles of Confederation; the prominent Political Acts of George Washington, &c., &c., &c.* By W. HICKEY. Seventh Edition. Philadelphia. 1854.

2. *The Federalist, on the New Constitution, written in the Year* 1788. By MR. HAMILTON, MR. MADISON, and MR. JAY. With an Appendix, &c., &c. A new Edition. Hallowell: Glazier, Masters, and Smith. 1842.

3. *Constitutional Law. Being a Collection of Points arising upon the Constitution and Jurisprudence of the United States, which have been settled by Judicial Decisions and Practice.* By THOMAS SERGEANT, Esquire. Philadelphia: Abraham Small. 1822.

4. *A View of the Constitution of the United States of America.* By WILLIAM RAWLE, LL. D. Second Edition. Philadelphia: Philip H. Nicklin. 1829.
5. *Commentaries on the Constitution of the United States; with a Preliminary Review of the Constitutional History of the Colonies and States before the Adoption of the Constitution.* By JOSEPH STORY, LL. D., Dane Professor of Law in Harvard University. Boston: Hilliard, Gray, & Co. Cambridge: Brown, Shattuck, & Co. 1833.
6. *A Course of Lectures on the Constitutional Jurisprudence of the United States, delivered annually at Columbia College, New York.* By WILLIAM ALEXANDER DUER, late President of that Institution. Second Edition. Boston: Little, Brown, & Co. 1856.
7. *Speech of* HON. M. F. CONWAY *of Kansas. Delivered in the House of Representatives, December* 12, 1861. Washington, D. C.: Scammel & Co. 1861.
8. MR. SUMNER'S *Resolutions. Resolutions declaratory of the Relations between the United States and the Territory once occupied by certain States, and now usurped by pretended Governments, without Constitutional or Legal Right.* Boston: Daily Evening Transcript, February 12, 1862.

"MR. PRESIDENT: — When the mariner has been tossed for many days in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence, and, before we float farther on the waves of this debate, refer to the point from which we departed, that we may at least be able to conjecture where we now are."

These memorable words of a great statesman, preliminary to the commencement of his magnificent reply to Senator Hayne, contain a sentiment which is of wide application; and in these days of difficulty and of trial, in which the stormy passions and illogical arguments of heated politicians obscure the principles of constitutional law, and the more insidious undercurrents of interested political aspirants are drifting us hard upon the breakers of disorganization, the prudence which that sentiment inculcates may well admonish us to take a

fresh observation of that political sun by the aid of which the ship of state must be steered, if we expect to attain the haven of constitutional peace.

The civil history of the United States from the Declaration of Independence to the adoption of the Constitution is one of great interest. The formation of State governments, with constitutions providing for a distribution of powers, in their nature legislative, executive, and judicial, among departments duly organized for their administration, in a manner best adapted to exemplify and enforce the great principle of self-government, by the grant of sufficient power to rulers, but with limitations necessary to the preservation and security of the rights of the people, was a problem which required and received the careful consideration of the most enlightened citizens of the several States, acting separately, and with reference to the previous laws, habits, and interests of their several communities. At the same time, the formation of a permanent confederation of the several States, with sufficient powers for the prosecution of the war, and for the promotion of the general welfare of the whole, — as associated governments, having to a certain extent a united purpose and a common interest, — tasked the energies and faculties of the eminent men who then composed the Congress of the United States.

The difficulties attending the formation of such a Confederacy, arising from the diverse, and in some respects adverse, interests of different States, were finally surmounted, and the Articles of Confederation were ratified by all the States; but it soon became apparent that the government of the Confederation was inadequate for the purposes which it was designed to subserve. There was not sufficient power to regulate the commerce of the country and to provide for the general welfare, and the conflicting interests of different States were endangering the peace and happiness of the people. Negotiations for the adjustment of some of the matters of difference resulted in the Convention which framed the Constitution. It was called for the purpose of proposing amendments to the Articles of Confederation; but it was soon admitted that the defects of the system were too great to be overcome in that mode, and that a radical change, constructing a government of

the general character of the State governments so far as the division and distribution of powers were concerned, but limited to the purposes for which a general government was needed, was the only effective remedy for existing evils. As the matter for consideration was one which was vital to the happiness and prosperity of the country, the several States sent some of their most prominent men as delegates to the Convention; and this august body continued in session nearly four months, forming and maturing the plan, and proceeding with the most praiseworthy care and caution. All matters in which a difference of opinion existed were fully debated and considered, and the several propositions were submitted to the "Committee of Detail," which not only revised, but carefully collated and arranged, the different parts of the proposed instrument.

When the work was completed, copies of it were furnished to the several States and to Congress, with a letter in which are these significant paragraphs, viz.: "It is obviously impracticable, in the federal government of these States, to secure all rights of independent sovereignty to each, and yet provide for the safety and interest of all." "In all our deliberations on this subject, we kept steadily in our view that which appeared to us the greatest interest of every true American, — the consolidation of the Union, — in which is involved our prosperity, felicity, safety, perhaps our national existence." Many persons feared that the powers proposed to be granted were too great, and that there was danger that the new government would swallow up the State organizations, the very thing of all others which it was not designed to accomplish. It underwent a most searching and critical analysis. Messrs. Hamilton, Madison, and Jay, in a series of papers (most of which were written by the two gentlemen first named) which have since been collected under the title of "The Federalist," and form a standard commentary on the Constitution, gave it a very powerful support, and probably saved it from rejection.* In several of the conventions of the people of the different States to which it

* In the edition of this work now in the library of the Law School of Harvard College, some unknown and unauthorized annotator has entered, in pencil, immediately before the first number, this important piece of information, viz.: "This number was written by A. Hamilton, on a small writing-desk belonging to Mrs. Hamilton, and sent to her from England by her sister, whilst on his passage up the

was submitted for ratification, there were long debates upon its general character, and upon particular parts of it, and in many it was ratified by but small majorities, mainly from the fear, before suggested, that too much of the power of the States would be surrendered by its adoption.

This brief reference to the history of the formation and ratification of the Constitution may serve to show that we should hold fast to the government which it has provided, and abide by the constitutional obligations which it imposes upon us. Surely we cannot hope that more favorable circumstances will occur for the dispassionate formation of a new Constitution, or that the construction of such an instrument will be committed to wiser or more patriotic men. If the present government is subverted, either by a secession of parts or by a usurpation of powers belonging to the States, who shall assure us that the process of disintegration, or usurpation, once begun, will not end in the entire destruction of the republic ?

It would seem, at first, that the general principles of an instrument which had been subjected to such an ordeal, and to such numerous and most able expositions, must by the time it was fairly adopted have been very fully understood. But it is quite evident that the subject was not exhausted.

The compendium of judicial decisions upon different parts of the Constitution, more particularly relating to the jurisdiction and practice of the courts, by Thomas Sergeant, was published in 1822. A second edition, under a slightly varied title, with additions and improvements, appeared in 1830.

The first edition of Mr. Rawle's " View of the Constitution " was published in 1825. This work is of a more general and speculative character. It is to be noted that in his final chapter, entitled, " Of the Permanence of the Union," the author, regarding the Constitution as a mere compact, — and without sufficient reference to the circumstances showing that, if it were regarded as a compact, it was indissoluble, constituting a government which was to be permanent, — distinctly admits the right of the people of a State to secede from the

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North River in a small sloop. The authenticity of this is indisputable. Any one asking to see the desk can be accommodated at Barnum's Museum. Price, 25 cents."

We print the note for the benefit of persons curious in such matters. They can doubtless find the locality indicated !

Union, and says that "secessions may reduce the number to the smallest integer admitting combination." But he impairs somewhat the force and effect of his own positions in this respect, when he says, in the same chapter: "We may contemplate a dissolution of the Union in another light, more disinterested but not less dignified, and consider whether we are not only bound to ourselves, but to the world in general, anxiously and faithfully to preserve it"; — adding, after a remark or two: "In every aspect, therefore, which this great subject presents, we feel the deepest impression of a sacred obligation to preserve the union of our country; we feel our glory, our safety, and our happiness involved in it; we unite the interests of those who coldly calculate advantages with those who glow with what is little short of filial affection; and we must resist the attempt of its own citizens to destroy it, with the same feelings that we should avert the dagger of the parricide." Probably we should feel ourselves authorized to "avert the dagger of the parricide" by a little wholesome coercion, sufficient to prevent the commission of the crime, and to inculcate upon him a seasonable lesson in regard to his rights and duties; and this is what we propose to do with the Secessionists, in the fulfilment of our "sacred obligation to preserve the union of our country."

In 1833 Mr. Justice Story published an elaborate treatise upon the Constitution, in three octavo volumes. The general course of the work is a statement of the different provisions of the Constitution, and of the decisions bearing upon it, with discussions upon the points which had been controverted or considered before that period. Many of the important cases founded upon the clause conferring upon Congress the power to regulate commerce, have arisen since its publication, and the greater portion of those involving the discussion of slavery also. An abridgment of it is used as a text-book for colleges and the higher schools. But the closing paragraph of a review of the work, in the July number of the American Jurist of that year, shows the reviewer to have been no prophet when he said: "The work is of the very highest importance, as bearing both upon legislation and upon jurisprudence, since it presents the subject of constitutional law so luminously before the community that it will be scarcely possible that any question

henceforth arising on the subject should be superficially treated either in legislative debate or forensic argument."

The book of Mr. President Duer contains a valuable course of lectures upon the fundamental principles of the Constitution, and the powers of the federal government; but it is not our purpose to speak at large of its merits at the present time.

Somewhat of the character of the speech of Mr. Conway may be learned from a single paragraph which follows: —

"The wish of the masses of our people is to conquer the seceded States to the authority of the Union, and hold them as subject provinces. Whether this will ever be accomplished, no one can, of course, confidently foretell; but, in my judgment, until this purpose is avowed, and the war assumes its true character, it is a mere juggle, to be turned this way or that, — for slavery or against it, — as the varying accidents of the hour may determine."

The innumerable speeches, in Congress and out of Congress, within the last few years, may serve to show with what diligence, if not with what success, constitutional law has been recently studied. If the speech-makers have not put the authors of the Federalist to shame, by their more recondite researches into the mysteries and rules of constitutional construction, they have at least shown that there may be expositions of the provisions of the Constitution of which Hamilton, Madison, and Jay never had any conception; and it is in the spirit of the extract from the speech of Mr. Webster quoted at the head of this article that we propose to set down in brief words certain propositions of constitutional law, having immediate reference to subjects which now agitate and convulse the country; — propositions which we think, in the language of John Quincy Adams on another occasion, "will stand the test of talents and of time." We commend them to the special consideration of those who, having no selfish interest to subserve, and no passionate hostility to be gratified, are sincerely attached to the Constitution. To those who are desirous of subverting it, in some part, so as to subserve their own notions and purposes, some of them of course will be distasteful. We cannot expect to convince those who are predetermined against conviction.

The people dwelling along the western shore of the Atlantic

Ocean, from the Bay of Fundy to the Territory of Florida, were organized as Colonies of Great Britain, thirteen in number, under charters, grants, and commissions, each being a distinct and separate colonial government, having its representative assembly, its executive, and judiciary, and no one having any right to interfere in the affairs of any other. In those Colonies slavery existed, regulated of course by the laws of the several Colonies, subject to the control of the British government.

A controversy arose between some of those Colonies and the mother country, in which they made common cause, and united for the common defence through the organization of a Congress of deputies, who acted at first, and mainly, through recommendations to the people of the several Colonies, but made divers provisions for the common defence and for the carrying on of the war.

This Congress issued the Declaration of Independence, as the act of the people of the thirteen Colonies, in which their grievances were set forth, and it was solemnly published and declared, in the terms of a resolution previously adopted, "that these united Colonies are, and of right ought to be, free and independent states." In its introduction it speaks of those in whose behalf it is made as "one people." The Declaration asserted certain general political truths, without attempting to set forth the limitations, qualifications, and conditions to which the administration of human affairs, under diverse circumstances, must subject them. It has never been recognized as a constitutional Bill of Rights.

At the time of the Declaration, the new States were bound together by the previous union of the Colonies, through the organization of the Congress, and they continued so bound by the pledge of the Declaration itself, and by measures which were taken to effect a perpetual union under Articles framed for that purpose. The terms of such perpetual union were agreed upon and set forth in certain "Articles of Confederation and Perpetual Union between the States," which gave to Congress certain enumerated powers, partly legislative, executive, and judicial, but of a very limited and imperfect character. The last Article was in these words: "Every State shall abide by the determinations of the United States in Congress

assembled, on all questions which by this Confederation are submitted to them. And the Articles of this Confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the legislatures of every State." There was no provision for a dissolution of the Union thus formed, and of course no right of secession from the Confederation.

These Articles limited and abridged the sovereignty of the several States, to the full extent to which they conferred powers upon Congress, and also by certain express provisions for that purpose. Several of the new States, from time to time, formed constitutions for their own government. This State action was, or became, subject to all the limitations arising under the Articles of Confederation, but subject only to those limitations. The general principles set forth in the Declaration of Independence are not admitted as limitations upon State authority. On the contrary, anything found in the State constitutions which may be supposed to conflict with the principles asserted in the Declaration, must be regarded as a limitation or qualification of those principles, required by the particular circumstances of the community forming its constitution, — that constitution being the supreme law of the State, except so far as it was limited and controlled by the provisions of the Articles of Confederation, and subsequently by the Constitution of the United States.

By the treaty of peace, Great Britain acknowledged the independence of the United States, and defined, or attempted to define, the boundaries between her and them. The general boundaries of the United States were the Atlantic Ocean on the east, the Spanish possessions on the South, the Mississippi on the west, and the British possessions on the north. Controversies which arose between some of the States respecting the vacant territory within the foregoing limits, lying eastward of and along the Mississippi, — some of which was claimed by several of them, while others contended that it should be regarded as a fund for the benefit of all, — were settled by the cession, by Virginia and other States, of the territory northwest of the

Ohio River to the United States, and by other cessions. The present State of Vermont was claimed by New Hampshire and New York; and the inhabitants of that district contended for their right to admission into the Union as an independent State; but the United States claimed nothing there.

The Articles of Confederation contained a provision by which Canada, acceding to the Confederation, and joining in the measures of the United States, was to be admitted into, and entitled to the advantages of the Union; but no other Colony was to be admitted unless the admission was agreed to by nine States. There was no provision looking to the possible admission of any territory not a colony of Great Britain, and there was a provision that no State should, without the consent of the Congress, enter into any conference, agreement, alliance, or treaty with any king, power, or state.

The Ordinance of 1787, and conditions in the cessions of other territory to the United States, determined the *status* of all the territory belonging to the United States in regard to the admission of slavery. Northwest of the Ohio it was excluded by the Ordinance; southwest, it was admitted by conditions in the cessions by North Carolina and Georgia. The policy of nearly all the States at this time was antislavery. Virginia voted for the Ordinance of 1787. She consented that the district of Kentucky should be formed into a new State, leaving the inhabitants to the freedom of their own will in that respect. There was no attempt to control the action of any State in reference to slavery within its own limits, nor any assertion of a right so to do.

The facts stated thus far show very clearly that there was no right on the part of any State, or of the people of any State, to control or interfere with slavery in any other State. Nor was there any power in Congress to regulate, or interfere with, the domestic institutions of any State. It is equally clear that there was no right, legal or moral, on the part of any State, or the people of any State, or any of them, to have slavery extended or diffused beyond the limits of such State, or to hold slaves beyond State limits, except according to the conditions in the grants of territory by some of them to the United States. No State could, consistently with the Articles of Confederation,

make any agreement for the acquisition of territory for that or any other purpose, nor was there any express provision for the acquisition of territory by Congress.

Under these circumstances, and contemporaneous with some of them, the Constitution was framed. It was designed to remedy defects which existed in the permanent and indissoluble union under the Confederation, and was declared to be the act of the people of the United States, for the purpose of forming a more perfect Union for themselves and for their posterity. It provides for the organization of a government complete in all its parts, legislative, executive, and judicial, — a sovereignty in form, as well as in effect, for all the purposes within the scope of its powers, — the chief of which powers are most emphatically for national purposes. And it confers upon the United States rights of sovereignty, to be exercised within the limits of the several States, which from their very nature cannot be revoked or resumed by a State, or the people of a State, or of any number of States, except by amendment of the Constitution or by revolution. From the terms of the instrument, from the nature of the government which it created, and from the rights thus granted, having the character of "eminent domain," it is certain that there can be no right of secession.

The Constitution was adopted and ratified not by the people of the United States as a general community, for until its adoption there was no such community; and moreover by its terms it was, when ratified by the people of nine States, to be the constitution for those States. But it was ratified by the *people* of the several States, acting primarily, and not by State authority under the State constitutions; and by its adoption they became one people for the purposes therein specified. With some delay it was ratified by the people of all the States, and thus became the paramount law for all.

In construing the Constitution we must resort to the ordinary rules for the interpretation of laws. Its construction is not to be determined by what Mr. Hamilton, or others of his school, desired, or what Mr. Jefferson and his adherents, at a later day, contended had been accomplished. If such individual declarations may be adverted to, for the purposes of construction, they have but a limited significance. So far as the

writings of Madison, Hamilton, and others, explaining their views of the meaning and operation of the different provisions, were diffused among the people before its adoption, the construction thus presented is entitled to great weight, unless there is something to control it, from the presumption that such was the received opinion of the time. Contemporaneous construction is of very high authority.

It is not proper to call the Constitution a compact. Its terms, its nature, and the powers granted by it, show it to be something more than a compact. If, however, it is to be regarded as a compact, this will not make any difference in relation to any of the main principles involved in present controversies. Regarded as a compact, it is a permanent one, constituting an indissoluble union, with powers of sovereignty which cannot be revoked or resumed. Whether construed as an organic law, or as a compact, therefore, it constituted a nation, for the purposes for which it was formed, leaving to the States or people the powers not granted, either expressly or by implication.

The provision of the Constitution defining what shall be regarded as treason against the United States shows, not only that the United States constitute a government, but that it is one to which allegiance is due. And the Constitution being the supreme law of the land, the allegiance due under it is the paramount allegiance.

The Constitution left slavery just as it found it, except in two or three particulars. It provided for an apportionment of representation upon a certain slave basis; but this did not alter the *status* of the slave, or give Congress any power to change or modify it. It gave authority to Congress to prohibit the slave-trade after 1808, and this authority has been exercised. It imposed the duty of delivering up fugitive slaves. Constitutionally and legally speaking, it is as right that this duty should be performed, as it is that the power to prohibit the slave-trade should be exercised. Without the Constitution, neither the power nor the duty would have existed. The instrument which confers the one, equally imposes the other. To exercise the power, and refuse to perform the duty, is not merely unconstitutional; it is a fraud. All State laws, there-

fore, enacted with a design of evading the performance of the duty, are a violation of a constitutional obligation, and can neither be justified by law nor excused by any code of morals. The Constitution binds the United States, on application, to protect each State against domestic violence, which may include a servile insurrection; but this does not change the relation of master and slave.

Although the Constitution was formed for the States as then existing, and with reference to the territories then belonging to the United States, and their admission into the Union as States, and contains no direct provision anticipating the acquisition of territory, it is clear that, through the power to make treaties and war, territory may be acquired. Any territory thus acquired belongs to the United States. The United States acquire it, and not any State, or aggregation of States. There is no tenancy in common, and of course no partition. There is no trusteeship, for there is no interest, legal or equitable, in any State, nor any use. There are no shares, nor any distribution of proceeds, except at the election of the United States. The United States are no more trustees of territory acquired by conquest, than they were trustees of the army by which it was acquired; and the idea of such a trusteeship would be an absurdity too great for any theorist out of an insane asylum. The army by the action of which the conquest is made is the instrument of the United States; the treaty which secures it is made by the United States; the title vests in the United States; — and it follows, logically, that the acquisition is the property of the United States. The people of the United States, as a general community, have the benefit of it for the purposes for which the general government was formed. Such territory is therefore to be governed and disposed of for the benefit of the United States as a whole, and not with regard to the interests of any one section.

If there is any provision in the Constitution for the government of such territory, it is in the general clause empowering Congress "to dispose of, and make all needful rules and regulations respecting, the territory or other property belonging to the United States." It would seem that this clause was not intended to apply to subsequently acquired territory, because

the Constitution did not contemplate and make provision for such acquisition. Whether it was intended to apply or not is immaterial, for Congress, as the legislative department, must necessarily exercise such a power.

If it is for the interest of the whole community that slavery should exist in any Territory, Congress may permit it, and there is no power elsewhere to control the action of Congress allowing its existence. If it is not for the interest of the whole, the legislation of Congress excluding slavery, during the continuance of the territorial government, is equally conclusive. A territorial legislature can possess no power except such as is conferred by Congress.

The Supreme Court have no authority, under the Constitution, in relation to subsequently acquired territory, until Congress shall extend the jurisdiction of the court over it. The attempt by six judges of that court to control this subject by a judicial decision, was a gross usurpation, for which impeachment and removal would have been but a just punishment. The Constitution itself does not extend over such territory. It was made for States, not Territories. It extends the right of legislation by Congress over such territory, either by the express clause authorizing Congress to make rules for the Territories, or through the power of legislation granted to Congress, which is the only power applicable to territory thus acquired, until legislation has brought into exercise the powers of the other departments; — except that territory acquired by conquest may be governed by the military power which made the acquisition, until such legislation is had. This shows clearly that the Supreme Court has no power there, except through and under legislation for that purpose.

The Constitution having made no express provision for the acquisition of territory outside of the limits of the United States, as established by the treaty of peace in 1783, the clause respecting the right of Congress to admit new States cannot rightfully be construed to apply to such territory. But if Congress, having the power of legislation, passes an act admitting a State, and the people of the State come in under such act, neither the executive nor judicial department can control and negative such admission. If such State is a slave State, it

will not constitutionally be entitled to a representation on the slave basis; but here again, if Congress make an apportionment upon that basis, no other department can gainsay it.

The Constitution empowers Congress to declare war; to grant letters of marque and reprisal; to raise and support armies; to provide for calling out the militia to execute the laws of the Union, to suppress insurrections, and to repel invasions. And it provides that the United States shall guarantee to every State in the Union a republican form of government. The authority and duty to suppress an insurrection are to be exercised in aid of the legitimate State authority, as well as for the assertion of the authority of the United States. It is as much the duty of the United States to intervene in aid of a State, and suppress an insurrection, when an attempt is made to subvert the State authority, or when there is a usurpation of the State authority, as it is to suppress an insurrection, the object of which is to subvert the authority of the United States.

The United States have no authority to emancipate the slaves in any State, except as it may be done in the suppression of an insurrection. The persons who rebel may be punished through their property, and in determining what is to be regarded as property, reference may be had to the laws of the State in which the offence was committed. The confiscation of slaves may, therefore, be a part of the punishment inflicted for such offence.* But this punishment of confiscation, so far as it is a

* A writer in a Boston daily paper, under the signature of G. T. C., attempts to maintain that there can be no confiscation of slaves as a punishment for treason, except for the life of the master. In support of this, he cites the clause of the Constitution in these words: "The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted." He proceeds to say that "the term attainder, as here used, is synonymous with judgment or conviction; a sense in which it was used at the common law, where the judgment of guilty was to be followed by forfeiture of lands or goods, to be reached by a subsequent process claiming the property of the convicted or attainted traitor for the king." This shows, on the part of the writer, a great confusion of ideas in regard to conviction and judgment, which, in relation to this subject-matter, are entirely distinct; and also in regard to the forfeitures which were peculiar to each. There is, by reason of this confusion, a mistake in regard to the import and effect of the constitutional provision, and a misapprehension respecting the character of an attainder, and the consequent forfeiture. By the attainder mentioned in the clause of the Constitution above cited is undoubtedly meant the attainder which results from a judgment at the com-

civil punishment, must be meted out, in the same manner as other punishments are, by general laws for trial, conviction, and judgment. There is no more authority to declare, by a general law, that the slaves of all rebels shall be free, without provision for a trial of the treason, than there is to declare, summarily, by a similar law, that all rebels shall be hanged, without any provision for a trial.

The military commander has no authority to emancipate the slaves except as a part of his military operations, and these cannot extend beyond the actual power of the force under his

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mon law, and not a bill of attainder by a legislative enactment. The writer proceeds to say, in a subsequent paragraph: "Suppose you forfeit the slaves of A for treason. If you mean to obey the Constitution, whatever extent of estate A had in those slaves, you can take only an estate for his life." Again: "On the termination of A's life, his heirs or his creditors have a title in those slaves, which they can assert, if there are any tribunals in the land to administer the law and the Constitution." We were somewhat surprised by these latter propositions, but they are correct *if the writer can only show that slaves are real estate at the common law.* The attainder spoken of in the clause cited from the Constitution being such attainder as, according to the common law, results from a judgment, it seems clear that the forfeiture, which is limited by the Constitution to an estate for life, relates to the same general kind of property which was forfeited by the attainder at common law; and the language of the constitutional provision indicates that this was real, and not personal property. A forfeiture of a life estate in personal property, of which the traitor had the absolute title, would certainly be an anomaly. But it is clear that the forfeiture on attainder of treason was of real property only, lands, and interests in or rights to lands, and could be no other; for the forfeiture of the personal property of the traitor was the result of the conviction, which preceded the judgment and the attainder. To ascertain this we need go no further back than Blackstone's Commentaries, from which we make two or three extracts.

"When sentence of death, the most terrible and highest judgment in the laws of England, is pronounced, the immediate inseparable consequence by the common law is *attainder.* For when it is now clear beyond all dispute that the criminal is no longer fit to live upon the earth, but is to be exterminated as a monster and a bane to human society, the law sets a note of infamy upon him, puts him out of its protection, and takes no further care of him than to see him executed. He is thus called attaint, *attinctus,* stained or blackened. He is no longer of any credit or reputation; he cannot be a witness in any court; neither is he capable of performing the functions of another man, for, by an anticipation of his punishment, he is already dead in law. This is after *judgment;* for there is a great difference between a man *convicted* and *attainted,* though they are frequently, through inaccuracy, confounded together. After conviction only, a man is liable to none of these disabilities, for there is still in contemplation of law a possibility of his innocence."

"The consequences of attainder are forfeiture and corruption of blood. . . . . Forfeiture is twofold; of real and personal estates. First, as to real estates. By attainder in high treason a man forfeits to the king all his lands and tenements of

command. His mere proclamation of emancipation, as a means of suppressing the insurrection, is entirely nugatory. So far as his military array extends, so far martial law prevails, and martial law supersedes, for the time being, the municipal law, in those particulars in which there is a conflict between them.

If, under the operation of martial law, the duty which the slave, under the State law, owes to his master, is terminated for the time being, and the slave avails himself of such emancipation to secure his freedom, by a transit to a free State, the

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inheritance, whether of fee simple or fee tail, and all his rights of entry on lands and tenements which he had at the time of the offence committed," &c., "and also the profits of all lands and tenements." — 4 Blackstone's Commentaries, 380, 381.

"There is a remarkable difference or two between the forfeiture of lands, and of goods and chattels. Lands are forfeited upon *attainder*, and not before; goods and chattels are forfeited by *conviction*. Because in many of the cases where goods are forfeited there never is any attainder, which happens only where judgment of death or outlawry is given; therefore in those cases the forfeiture must be upon conviction or not at all; and being necessarily upon conviction in those, it is so ordered in all other cases, for the law loves uniformity." — 4 Blackstone's Commentaries, 387. See also Coke on Littleton, 391 a; Hawkins's Pleas of the Crown, Book II. Chap. 49; 1 Chitty's Crim. Law, Chap. 17; 1 Meeson and Welsby's Rep. 148; Webster's Dict., Attainder.

It appears, however, that G. T. C. regards slaves as real estate, for in a subsequent paragraph he writes thus: "What I have now suggested supposes only the simple case of a slave owned *in fee*, and unencumbered by the rebellious master, whose life estate is all that can be forfeited to the United States, while the reversion most plainly belongs to his heirs."

One instance, perhaps more, may be found in which slaves were declared to be real estate; but this was for the purpose of descent, dower, &c., and even in that instance they had in law many of the attributes of personal estate. 1 Monroe's Reports, 28. If property, they are from their very nature personal property. In *Vol. III. of the United States Digest, compiled by George T. Curtis, Esq.*, tit. *Slaves*, I., decisions are collected showing that they are personal estate, as follows, viz.: "In Virginia, slaves are held as chattels, and are assets in the hands of an executor. Walden *v.* Payne, 2 Wash. 1." "Slaves properly come under the appellation of 'personal estate' in attachments. Plumpton *v.* Cook, 2 A. K. Marsh. 450." "They are within the operation of the statute of frauds, respecting loans of 'goods and chattels.' Withers *v.* Smith, 4 Bibb, 170."

A slave has a personal character when he is indicted for murder. He is not real property when any one is indicted for the murder of him. He is neither a fee nor a freehold when he runs away and his master claims him as a fugitive. And, upon quite as strong reasons, he is not real estate, with a reversion to his master's heirs, upon a forfeiture for treason.

The Constitution does not limit the power of Congress in relation to the common-law forfeiture which accrues upon conviction, nor to any forfeiture of personal estate.

clause of the Constitution relative to fugitives from service cannot rightfully be invoked to enforce a return, because it is not applicable to the case of slaves whose duty of service is terminated, and whose masters have thereupon lost all custody and control over them. When the master ceases to provide for the slave, he may provide for himself. If the master has any claim, it is upon the government, whose military operations terminated the relation between him and his slave for the time being, so that the slave was left at liberty. A rebel master could maintain no such claim. If a master abandons the control of his slave, and he avails himself of his liberty, he cannot rightfully be sent back under the constitutional provision. But in either case, if the slave remains, and the martial law ceases, or the master, in case of his flight, returns and resumes his control, the emancipation will probably be a temporary one; — as no right to freedom could afterward be asserted under the laws of the United States. The operation of the martial law would be only temporary upon the subject-matter, and would not, under such circumstances, effect a permanent emancipation.

It is no part of the duty of the commander or officers of a military force to assist the people of any State into which that force may enter in maintaining the possession of their slaves, any more than it is their duty to aid them in holding any other species of property, or other servants. On the contrary, the commander may require the services of the slaves in the suppression of the insurrection, in all cases where he could require the aid of persons or property for such service. And this extends even to placing arms in their hands, and using them as a part of his military force, if the exigency of the case require it; of which he must judge, as he judges of other modes of conducting the war in the suppression of the rebellion. Whether the master will have a claim upon the government for indemnity must depend upon the circumstances of each particular case.

A State is, or can be, foreign to the United States, only by a successful revolution. It cannot be made foreign, under the Constitution, either by the people of the State, or by the action of Congress, or by that of the armies of the United States.

The power to declare war and grant letters of marque and reprisal cannot be exercised against a State, and the United States and a State cannot be brought into antagonism, consistently with the Constitution.

No *State*, as such, can be in insurrection. The people of a State, or a portion of them, may rebel, and civil war may ensue.* The rebels may usurp State authority, either by the

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* Perhaps in this connection we ought to pay "the cold respect of a passing glance" to what appeared as an editorial in a Boston daily newspaper, assailing our article respecting Habeas Corpus and Martial Law, in the number for October, 1861.

There is a kind of argumentation in which we are not inclined to participate, and for which we have no respect, since it consists in grave misstatements of the positions maintained by others, followed by an attempt to controvert the positions thus assumed for them.

The writer of that editorial placed himself beyond the pale of fair discussion when he said: "The return to the writ, a copy of which is before us, presents only the naked question whether *the President of the United States can suspend the writ of habeas corpus without an act of Congress? The Reviewer says he can do so in time of war.*" Again: "If the Reviewer means to assert, *as we presume he does*, that any or all of these things constituted a state of war in legal acceptation *in the State of Maryland, so that all its citizens were under martial law*, as the Reviewer defines it, he means to assert a proposition which he would have done well to have supported by some show of argument." And again: "According, then, to this Reviewer, a proclamation of the President, (Congress not being in session, and no war foreign or civil declared by them,) calling out the militia to suppress an insurrection in certain States, *places every other State, in which any portion of those forces may happen to be moving or resting, under martial law*, as defined by the Reviewer himself; or, in other words, *it creates a state of war throughout the country, where there are any such troops even in transitu.* This doctrine rests for the present on the authority of the North American Review."

The first of the above extracts certainly presents itself as a very gross misrepresentation when taken in connection with a paragraph contained in an extract from our article in the editorial itself, and which the writer therefore must be presumed to have read. It is in these words: "*Whether the President possesses the power to order or authorize* it [the suspension of the writ of *habeas corpus*] as an incident to his office of Commander-in-Chief of the army and navy, or whether he has it as an incident to his duty to see the laws faithfully executed, *we do not propose to inquire.* The opinion of the learned Attorney-General upon the latter point is already before the public, and *we do not deem the settlement of those questions necessary to our present purpose.*" And in accordance with the statements thus made, we carefully forbore to express any opinion upon that subject, arguing the right of General Cadwalader to refuse to produce Merryman upon other and entirely different grounds, saying that, "in time of actual war, whether foreign or domestic, there may be justifiable refusals to obey the command of the writ without any act of Congress, or any order or authorization of the President, or any State legislation for that purpose; and the principle upon which such cases are based is, that the existence of martial law, so far as the operation of that law extends, is, *ipso facto*, a suspension of the writ."

Then, again, in relation to the statements that we maintained that *all the citizens*

complicity of those who held office under the State, or by turning them out, and placing others in their stead. But the war will be between the insurgents and the government. The State cannot commit treason, any more than a county or a city in a State commits treason, when the people of that county or city rise in insurrection. The analogy between a State and a county or city holds good thus far, although it may not in some other respects. There can of course be no punishment of a State for treason, or other offence, and the proposal in Congress to confiscate State lands is unconstitutional. The

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of Maryland *were under martial law*, or even that *war existed there*, and that calling out the militia to suppress an insurrection in certain States *places every other State, in which any portion of those forces may happen to be moving or resting, under martial law*, there is not the least possible excuse for such a misrepresentation. Having come to the conclusion that the existence of martial law, so far as it extends, operated as a suspension of the writ, we proceeded to the question, "Was martial law in existence *at Fort McHenry* at the time when the writ was issued and the return made?" We neither inquired whether all the citizens of Maryland were under martial law, nor indicated an opinion that they were so. Nor did we imply that martial law existed when and where Merryman committed the acts, whatever they were, for which he was arrested. We stated our position in these express words: "Now, it may, we think, be laid down as a safe principle, that in time of war any fort or camp occupied by a military force, for the purposes of the war, is *ipso facto*, without any special proclamation, under the government of martial law, such as we have described it. And the same, in our opinion, as at present advised, is equally true of any column of soldiers mustered into active service for the like purpose, whether on the march or at rest. It is not necessary to speak of soldiers mustered into the service of the government, but stationed at a distance for the purpose of being called into active service when occasion may require. They may, or they may not, be under government of military law only, as in time of peace. But this cannot be said of troops actively engaged in the service of the government. Whether those troops are in the face of the enemy in battle array, or whether they are merely garrisoning a fort *to aid thereby* in suppressing a rebellion, or whether they are opening and holding the avenues by which the passage of other troops to the theatre of active war is to be facilitated, the law which governs *the place where they are* is martial, and not municipal."

This character of misrepresentation runs through the paper so far as it relates to our article; but we do not propose to follow this matter further. Our inducement to refer to the paper at this time was what seemed to be the course of its argument that there was no "war," because war had not been declared by Congress. In one of the paragraphs above quoted, we find, "Congress not being in session, and *no war foreign or civil declared by them.*" In another paragraph the writer says: "From beginning to end the article reiterates, through forty-seven pages, that there was a 'state of war,' a 'time of war,' and an 'existence of war.' . . . . . But the whole of this is the *ipse dixit* of the Reviewer." Again: "No one can fail to see how serious must be the doubt whether any proclamation of the President can create a state of war, and bring into exercise all the laws of war, where no war foreign or *civil has*

persons who offend may be punished, as we have seen, either personally or through their property.

A civil war cannot, on the part of the government assailed, be a war of conquest. The territory in which it is waged being one which belongs to the government, or over which the government has jurisdiction, it cannot be added to the existing government, to which it already belongs, by any military operations in suppression of the rebellion. This is as true in relation to the United States, and the several States, as it is of any other nation or government; for although the territory

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*been declared by Congress.* If the suppression of a rebellion, however extensive, comes within the *war power* of the federal government at all, in the strictly legal sense of that power, it is clear that Congress alone can exercise that power under the Constitution."

Now, as the United States cannot declare war against any State of the Union, and as *war* is not usually declared against an insurrection, or against the insurgents, and we may safely conclude never will be so declared by Congress, the conclusion seems to follow that we cannot have a civil war in the United States. What is now going on along the coast at different places, — in Albemarle Sound, Kentucky, and Tennessee, — is not *war!* It is only fighting! Great Britain, France, and Spain have acknowledged the Confederates as belligerents; but that does not constitute the contest a *foreign* war. And so, according to the editorial, there are two belligerents without any war.

But we are not without authority on this subject. See the case of "The Tropic Wind," decided by Judge Dunlop, U. S. District Court for the District of Columbia, June Term, 1861; in which his Honor said, referring to the President's proclamation: "These facts, so set forth by the President, with the assertion of a right of blockade, amount to a declaration that civil war exists." See also the case of "The Amy Warwick," decided by Judge Sprague, U. S. District Court for the District of Massachusetts, February, 1862, where the learned Judge disposed of the matter in this wise: "As the Constitution gives Congress the power to declare war, some have thought that, without previous declaration, war in all its fulness, that is, carrying with it all the incidents and consequences of a war, cannot exist. This is a manifest error. It ignores the fact that there are two parties to a war, and that it may be commenced by either. . . . . How this civil war commenced, every one knows. . . . . This was war, — open, flagrant, flagitious war; and it has never ceased to be waged by the same confederates with their utmost ability. Some have thought that, because the rebels are traitors, their hostilities cannot be deemed war, in the legal or constitutional sense of that term. But without such war there can be no traitors. Such is the clear language of the Constitution."

The editorial admits that Chief Justice Taney had judicial knowledge of the proclamation. On these authorities, then, he had judicial knowledge of the existence of war; and he was of course put upon the inquiry whether he could require the military commander of Fort McHenry to come out of the fortress in time of war, and bring a prisoner before him. The return that the President had suspended the *habeas corpus* pressed that inquiry upon him, whether the President could or could not suspend the writ.

comprised in the several States is not the property of the United States, and the United States do not own the several States, the States are all component parts of the United States; the government of the United States has jurisdiction over all the States, — rights of eminent domain there, — rights to hold courts, and enforce judicial proceedings; is under a duty to protect the State, not only against foreign powers, but against its own citizens; and guarantees to each as a State a republican form of government.

It is an absurdity of the first water to affirm that with such existing relations the United States can make war upon a State, conquer it, and reduce it to a territorial condition, consistently with the Constitution. If the citizens of a State rebel, the United States have express power under the Constitution to suppress the insurrection. But this neither increases the power of the United States over the State, so as to authorize a war of conquest, nor relieves the United States from the performance of their constitutional duties to the State and its citizens. Nor does it deprive the State of its State rights under the Constitution.

The Constitution secures to each State the right to two Senators in Congress, and a due proportion of Representatives. Under these provisions Mr. Johnson holds a seat in the Senate, as a Senator from Tennessee, and Mr. Maynard a seat in the House, as a Representative from the same State, notwithstanding the vote of secession by people of that State, and the rebellion there, which through military force has usurped the State authority, subverted the authority of the United States, and notwithstanding the representation, nominally, of that State in the Confederate Congress. The insurrection, therefore, has not vacated their seats, and certainly the suppression of it cannot do so. If the insurrection were a State insurrection, the representation in Congress would be a rebellious representation, and could not constitutionally exist. If it is not a State insurrection, the suppression of it cannot be conquest, nor change the rights of the State or of its loyal citizens.*

* Several of the seceding States owe debts to a large amount. Conquest, and the subjugation of the State to a territorial condition, must be a practical extinguish-

When the insurrection is suppressed, the Constitution and laws will remain for the government of the State as they existed before the insurrection, except so far as they have been changed by the legitimate action of the State authority during that period, or by revolution in the State, assented to by the United States. Virginia may find that she has lost Western Virginia, if the State organization there existing has adopted, or shall adopt, the proper means for a *division* of that State.

Some act may be necessary for the election of officers, in order to the resumption of the legitimate State authority in those States where it has been entirely subverted; until which time there may be a military occupation. Whether that must be the act of the people of the State, or whether the United States, having suppressed the insurrection, may proclaim that fact, and call upon the people to assemble on a day named for the election of State officers, is a problem which may remain for solution until the time for its practical determination. That time will arrive, if we are faithful to the Constitution. It may never come if there is success in the attempt to subvert the Constitution by making the war one for the conquest of the Southern States, and their reduction to a territorial condition, in order to emancipate the slaves. If the war should take that character, it may lack the support necessary to bring it to a successful conclusion.*

Constitutional and unconstitutional propositions press upon

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ment of the debts as against the State; because the State would no longer exist. Would the Territory be substituted as the debtor? No, for it is not the legitimate successor of the State; and moreover it would have no means of payment. Are the United States to assume these debts as a part of the expenses of the war? If not, the creditors, domestic and foreign, have some interest in this matter. Perhaps Great Britain might be disposed to inquire upon what constitutional principle the debts due to her subjects had been extinguished through *the conquest, by this country, of a part of itself!* She could make a better case on that than she had on the seizure of Mason and Slidell.

* Perhaps the country is in more danger, at the present time, from Presidential aspirants, and the intrigues of their adherents, than from the Confederate armies. If officers are to be checked and snubbed for fear they should be too popular, and thereby become dangerous Presidential candidates, it is about time to bring some of the commanders now in Missouri and Tennessee into suspicion, and there should also be a good look-out in the direction of Albemarle Sound and Port Royal, as well as across the Potomac.

us with such rapidity at the present day, that, before we have time to dispose of one set of them, another claims our attention. We commenced this article with the intention of presenting some views respecting the difference between the Declaration of Independence and the Constitution, and between the Articles of Confederation and the Constitution, and with the design of stating a few plain rules respecting the construction of the latter instrument, and of some of its provisions, — particularly intending to show that it did not confer authority to emancipate slaves by proclamation, or act of Congress, or by the operation of martial law, except as martial law might give practical emancipation in places which were occupied by the military force of the government in the suppression of the insurrection. But before we have time to make up a record on this last point, which but a few days since seemed to be the main point of those revolutionists who seek emancipation at whatever cost, — presto! the position that martial law can emancipate all the slaves, if not abandoned as entirely untenable, seems to be left behind as useless, and a new constitutional theory is put forth in the House of Representatives by the member from Kansas; to wit, that the United States must conquer the rebellious States, and hold them as Territories, in which condition Congress could govern them at pleasure, and thus effect the work of emancipation.

It seemed as if only a few words were necessary for the refutation of such a notion, but the ink with which these words were written is hardly dry, when we have a most elaborate set of resolutions introduced into the Senate by Mr. Senator Sumner, the title of which we have added to the list of works at the head of this article. The resolutions are nine in number, and introduced by three recitals. Coming in the form of legal propositions and logical deductions, evidently prepared with great care and elaboration, and presented by one who is not only bound by official position to uphold and sustain the Constitution, but who would not be willing to be deemed other than a sound constitutional lawyer, these resolutions seem to claim a more extended notice than we have thus far given to this part of our subject. They contain the legal argument which is logically to reach the constitutional conclusion. We

shall not find it necessary, however, to examine each of them in detail, as the basis of the whole is in the first three of them, or rather in the first and third. The first is in these words: —

"1. *Resolved*, That any vote of secession, or other act by which any State may undertake to put an end to the supremacy of the Constitution within its territory, is inoperative and void against the Constitution; and when sustained by force, it becomes a practical *abdication* by the State of all rights under the Constitution, while the treason which it involves still further works an instant *forfeiture* of all those functions and powers essential to the continued existence of the State as a body politic, so that, from that time forward, the territory falls under the exclusive jurisdiction of Congress, as other territory; and the State, being, according to the language of the law, *felo de se*, ceases to exist."

The inconsistency, incongruity, and illogical conclusion of this first resolution are quite astonishing. It begins by asserting "that any vote of secession, or other act by which any State may undertake to put an end to the supremacy of the Constitution within its territory, is inoperative and *void* against the Constitution." But this is followed up immediately by the assertion that when such void act is "sustained by force, it becomes a practical *abdication* by the State of all rights under the Constitution." That is to say, an act professing to be an act of secession, but entirely *void*, when sustained by force, is a surrender of all the rights which the State lawfully held before the void act and the force and support of it. This is certainly giving to such a *void* act a very comprehensive effect. As a general rule, a void act neither vests nor devests anything; and a void act sustained by force is no more effective for such purposes than any other void act. Certainly the conclusion is inevitable, that an act "*void against the Constitution*" leaves the Constitution legally operative just as it was before. If the Constitution was legally operative before upon a State and the people of a State, prescribing rights and duties, it is still legally operative in relation to the State and people, a *void* act to the contrary notwithstanding.

But this is not all. The resolution goes on to declare further, that the treason which it (to wit, this void act) involves "works an instant forfeiture of all those functions and powers

essential to the continued existence of the State as a body politic." Now, it may be admitted that an act void so that it does not change the legal *status* of the party who does the act as to the party against whom it is done, may nevertheless be an illegal act, subjecting the first party to punishment. The act of insurrection, which is void so far as the attempt to throw off allegiance is concerned, is an illegal act, and may be treason, for which the rebel may be punished. But treason does not work any *instant forfeiture*, nor any *forfeiture*, legally speaking, of the "functions and powers essential to the continued existence" of the party committing it. Through legal process, a conviction of treason might work a forfeiture of the rebel's goods and chattels; and a judgment founded on the conviction, operating as an *attainder*, might work a forfeiture of his lands, or, under the Constitution, of a life-estate in them. And in the execution of a sentence of death, his life may be taken, and "the functions and powers necessary to his continued existence" will thereby cease; but this is by the *hanging*, and not by the "forfeiture."

Again, a *State* does not commit treason, and therefore all forfeiture founded upon treason must fail of any application to a State.

But the most astounding part of this resolution is its logical conclusion, — "so that from that time forward the territory falls under the exclusive jurisdiction of Congress as other territory, and the State being, according to the language of the law, *felo de se*, ceases to exist." This certainly indicates a relation of the United States to the several States which the authors of the Federalist, and all the commentators on the Constitution, and the great jurists, Mr. Pinkney and Mr. Webster, who have successively been denominated the Defenders of the Constitution, never dreamed of. It is a well-settled principle of the common law, that, upon a forfeiture for crime, the thing forfeited goes to the Crown, or to the lord paramount, as the case may be. If, then, Mr. Senator Sumner's is a logical conclusion, it must be because Congress, or the United States, is the sovereign or lord paramount of the several States. But we have never before learned that the States held their right over the territory within their limits by grant of Con-

gress, or of the United States. We know that the States first came into existence; that the Congress of the Confederation held its powers from them; that the Congress of the Constitution holds its powers from the people, acting by States, and thereby becoming one people for the purposes of the government organized under the Constitution, — leaving to the States and people what was not granted either expressly or by implication; — so that the reverse would be true, to wit, that if Congress or the United States should forfeit their powers, they would revert to the States, or the people of the States.

Again, the resolution closes by the assertion that the State "being, according to the language of the law, *felo de se*, ceases to exist." But the former part of the resolution asserted that the act done by the State was void; and, moreover, that the void act was treason. How is it that a void act is suicide; or that a party who commits treason thereby takes his own life? And how is it that the dead body of this remarkable suicide falls under the jurisdiction of the United States, in a different form of existence, for the purpose of government? — Ah! we understand. By a political metempsychosis the territorial soul enters into the dead body of the State which has just cut its own throat. — No! we are at fault there again. This might answer for Louisiana, and Mississippi, and Florida, and Arkansas, which once had a territorial existence; but where are the Carolinas, and Georgia, and Texas, which have never existed as Territories, to get these territorial souls to reanimate their dead State bodies?

It will not do to say that Mr. Sumner's resolution is not to be understood literally; that, when he speaks of the treason of a State, it is by a kind of analogy, and figuratively; for if his treason is figurative, his forfeiture must be figurative, and his conclusion figurative; so that the State will become a Territory merely figuratively and rhetorically, the jurisdiction of Congress over it will be merely imaginary, and the *felo de se* will be but an apparition of a dead State, instead of a veritable *corpus delicti*.

The second and third resolutions may be considered together. They are as follows: —

"2. *Resolved*, That any combination of men assuming to act in the place of such State, and attempting to ensnare or coerce the inhabitants thereof into a confederation hostile to the Union, is rebellious, treasonable, and destitute of all moral authority; and that such combination is a usurpation, incapable of any constitutional existence, and utterly lawless, so that everything dependent upon it is without constitutional or legal support.

"3. *Resolved*, That the termination of a State under the Constitution necessarily causes the termination of those peculiar local institutions which, having no origin in the Constitution or in those natural rights which exist independent of the Constitution, are upheld by the sole and exclusive authority of the State."

The terms in which the second is expressed are well enough. But in its application to the subject-matter it is emphatically inconsistent with the first. We can hardly argue this without repetition. The insurrection at the South is truly a combination of men who assume to act in the place of certain States, and who have ensnared or coerced many of the inhabitants into a confederation hostile to the Union. This combination is rebellious, treasonable, destitute of all moral authority, a usurpation, — and everything dependent on it is without constitutional or legal support. But it is attempted to support the combination by force. On the supposition that this unconstitutional, utterly lawless usurpation could succeed in severing any State from the Union, the result would be that the laws and authority of the United States would no longer be in force there. But so far as the combination had not seen fit to change the State constitution or the local laws, the State organization and local institutions would remain in force. In other words, the termination of a State under the Constitution causes only the termination, prospectively, of those rights and duties which exist under the Constitution; and in nowise affects its local institutions, which exist under the State government.

On the other hand; if the combination fails of success in its usurpation and rebellion, — if the force is overcome, and order restored, so that everything dependent upon the attempt was not only without constitutional or legal support, but has no longer the support of force, — it must require some new rules

of logic to show how the attempt, which was legally powerless from the first, and has become practically powerless at last, has had the effect, not only to change the political relations of the State to the United States, but to subvert the constitution and laws of the State itself, — so that even the loyal people there are deprived of all the political and legal rights which they held under the constitution and laws of the State.

The righteous, successful revolution by which the people of the Colonies threw off their allegiance to Great Britain did not change the local laws. Clearly, if the attempt had been unsuccessful, it would not have abrogated the laws respecting the domestic relations, — not even those which governed the "peculiar institution," which then existed in all the Colonies. If it shall be found, on the suppression of the rebellion, that there are not loyal citizens enough in any State to uphold a State government, with the aid of the United States, then a new case will be presented, which may, from necessity, require an extraordinary remedy. In the mean time, it is to be hoped that disloyalty will not become more general by reason of threats of conquest, or by propositions that the United States shall become *administrator de bonis non* of the seceding States. One description of treason against the United States consists "in adhering to their enemies, giving them aid and comfort." Mr. Conway and Mr. Sumner have given the "aid and comfort." Had they sent in their *adhesion* at the same time, they would have done the Union much less mischief.

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ART. IX. — *Memorial Volume of the First Fifty Years of the American Board of Commissioners for Foreign Missions.* Fifth Edition. Boston. 1862. 8vo. pp. 464.

THE institution whose Jubilee this volume commemorates was one of those providential institutions which are not made, but grow, — are not formed in accordance with any antecedent plan or theory, but shaped by the work that they find to do. This mode of development is an essential condition of success.

Had a body of enterprising Christian philanthropists, fired with the hope of the world's regeneration, assembled in 1810, and established an extensive, ambitious organization, sending emissaries through the churches to arouse zeal and collect funds, and proclaiming a grand crusade against heathenism, the flourish of trumpets that heralded their undertaking would hardly have died away before it was dishonored and abandoned. But in this case the organization was modestly framed to meet an exigency which justly assumed the form of a divine mandate. Of an incredulous world it hardly obtained "leave to be." It enlarged its proportions only as its work and the means of performing it accumulated upon its hands. It grew from within outward, claiming increased confidence and subsidies by meeting the trust already reposed in it, and by using to the best advantage the funds already in its treasury. It has become the most noble charity in our land, simply because it has given so full proof of its efficiency as to refute scepticism, disarm opposition, and conciliate lukewarmness.

The virtual author of this association was Samuel J. Mills, who was graduated at Williams College in 1809. He had "overheard his mother say, that she had devoted him to the service of God as a missionary." Impressed with this remembrance, he formed with four fellow-students an association, in which they pledged themselves personally to this work. He retained the holy purpose when he became a member of the Andover Theological Seminary, and in the first year of his novitiate he entered, with Newell, Judson, Nott, and Hall, into an association similar to that of Williams College. They offered themselves as missionaries to the General Association of Massachusetts, and the American Board was instituted to enable them to enter upon their work. Rev. Drs. Spring and Worcester were the fathers of the infant organization. What it was at the outset, and what it has effected, may be best seen from the following summary in Dr. Hopkins's Semi-centennial Discourse.

"At its first meeting but five persons were present, and at its second but seven. Its receipts, the first year, were but a thousand dollars. Now its meetings are like the going up of the tribes to Jerusalem; and its annual receipts are three hundred and fifty thousand dollars. Then it had no missions, and it was not known that any heathen country

would be open to them. Now its mission stations belt the globe, so that the sun does not set upon them, and the whole world is open. It has collected and disbursed, with no loss from defalcation, and no suspicion of dishonesty, more than eight millions of dollars. It has sent out four hundred and fifteen ordained missionaries, and eight hundred and forty-three not ordained; in all, twelve hundred and fifty-eight. These have established thirty-nine distinct missions, of which twenty-two now remain in connection with the Board; with two hundred and sixty-nine stations and out-stations, employing four hundred and fifty-eight native helpers, preachers, and pastors, not including teachers. They have formed one hundred and forty-nine churches, have gathered at least fifty-five thousand church members, of whom more than twenty thousand are now in connection with its churches. It has under its care three hundred and sixty-nine seminaries and schools, and in them more than ten thousand children. It has printed more than a thousand millions of pages, in forty different languages. It has reduced eighteen languages to writing, thus forming the germs of a new literature. It has raised a nation from the lowest forms of heathenism to a Christian civilization, so that a larger proportion of its people can read than in New England. It has done more to extend and to diffuse in this land a knowledge of different countries and people, than any or all other agencies, and the reaction upon the churches of this foreign work has been invaluable." — pp. 16, 17.

Greatly to the embarrassment and sorrow of its projectors, but to their subsequent joy and gratitude, a double seed, with the elements of a divergent growth, was planted at the very outset. Two of the first missionaries of the Board became Baptists on their way to India. An appeal was thus made to another numerous and powerful body of Christians to sustain their new-born brethren in the work to which they had consecrated themselves. Thence originated the Baptist Missionary Union, whose history runs along with that of its elder sister in letters of light, illustrated by the Christian heroism of Judson and the noble women who successively bore the cross at his side, by the gentleness and courage, the incredible endurance and triumphant death of Boardman, and by numerous other honored names which formed the subject of one of our papers in an earlier volume of this journal.

We do not propose to enter into the history of the American Board. The volume before us could be abridged within our

proposed limits only by reducing it to a dry digest of names, dates, and statistics. We hope that it will be read in its entireness by all who are interested in its subject. It has been compiled with the utmost care and skill by Dr. Anderson, who has been identified with the Board from 1824 till the present day, and has been for thirty years its Corresponding Secretary. We trust that the time may yet be far distant when our successors will record in full his manifold services, primarily to the cause of his Divine Master among the unevangelized, but *pari passu* to good letters, sound learning, and liberal Christian fellowship. His narrative style is perspicuous and fluent, swelling in genial fervor with the greatness of its theme, digressing gracefully for the discussion of such points as crave argumentative treatment, and presenting the entire subject of missions in the most attractive form to all who love the Gospel or their race.

The quiescence from which the churches of our land were roused by the formation of this Board was an utterly unchristian state. The legitimate Gospel can have no statics, but only dynamics, so long as there remains a nation or a soul not under its influence. It is in its Founder's purpose an unrestingly aggressive force. The church that makes of itself a close corporation, and furnishes the means of religious nurture only to its pew-holders, — its members bringing their own shallow cups to the fountain of salvation, and never proffering a draught to a thirsty outside brother, — has no title to be regarded as a church of Christ. The prime law of our religion is diffusive love; love imparts what it most prizes; and he can know little of the blessedness of Christian faith and hope who yearns not to make his fellow-men partakers of that blessedness. Yet, in the discussion upon the charter of the Board in the Senate of Massachusetts, it was gravely opposed on the ground "that it was designed to afford the means of exporting religion, whereas there was none to spare from among ourselves." It was well rejoined by the late venerable Judge White, "that religion was a commodity of which the more we exported the more we had remaining." Thus did it prove on experiment. The missionary enterprise returned its priceless revenue of vitalizing and fertilizing energy to its supporters

long before its direct effects were conspicuous. Philanthropy thenceforth became, not the prerogative of a few, but the law of the whole Church. The spirit which first went forth for the victims of Hindoo and Burman superstition was not slow in detecting heathenism at home. The various classes of the unprivileged were sought out, and brought under appropriate means of instruction or reformation. Seamen, prisoners, slaves, the poor of our great cities, the dwellers in frontier settlements, neglected children, profligate women, — all were gradually taken into the scope of Christian charity, and there now remains hardly a body of worshippers which has not some one or more of these great causes among its foremost objects of interest, and either of organized action or of informal co-operation. These statements apply not to one denomination, but to all. True, the cause of foreign missions depends chiefly on two or three of our largest religious bodies. Of the others, some lack the requisite means; some have not a sufficiently close cohesion to make combined effort on an extended field practicable; while others are doubtful of the permanent results of such labors, so long as they are liable to be thwarted and neutralized by the vices of civilization that follow on every track on which intercourse is opened. But where the action has not been aided or emulated, the reaction has been profoundly felt, and the sects and the serious Christian believers that are doing little or nothing for the extension of the area of Christendom confess only the stronger obligation to aid in making the existing Christendom more worthy of its name.

Meanwhile, we cannot overestimate the power of character which has grown out of the missionary work. It has brought back the heroic age of the Church, and has placed before the world such illustrious examples and verifications of the effective power of the Gospel as had hardly been witnessed since the Apostles passed on to their reward. The contributions thus made to the store of religious biography are invaluable, and, next to the life of the all-perfect Author and Finisher of our faith, there is no instrumentality for the creation and growth of personal piety to be compared with this. Our older readers will remember the intense enthusiasm aroused, and the earnest impulses given, by the Memoir of Harriet Newell, the

wife of one of the first band of missionaries, who died at the Isle of France at the age of nineteen. Eminently endowed by nature and by grace, fitted as few women have been for the most arduous of all services to her kind, she undoubtedly effected more for the cause of missions and of Christ by her death, than she could have effected by the longest life. The consecration of her girlhood in its budding promise commended the work to universal Christian sympathy; while the beautiful traits of her character — the strong and brave heart with the tenderness, modesty, and refinement of the true woman, all intensified and glorified by the martyr-spirit, and tested by exposures and sufferings which, though since exceeded, then had no precedent or parallel — were a felt demonstration of the faith that energized and the hope that gladdened her. This was but the first of a long and precious series of life-records, — Dr. Anderson enumerates more than forty, — of which there is not one that has not had its Divine mission in rebuking scepticism, awakening conviction, urging Christians to a more devoted life, and inspiring new and more vigorous endeavors for the growth of religion in the world. In our own pages, we have had within the last few years no more fruitful or profitable themes than the Lives of Judson and Stoddard, — the former in every dimension one of the greatest men of his age, arrested in early infidelity by an agency hardly less signal than the miracle which converted Paul from a persecutor to an apostle, and thenceforth devoting the fire of genius, the powers of a giant intellect, and the wealth of profound erudition, with a singleness of purpose seldom equalled, never surpassed, to the diffusion of the Gospel, — the latter peculiarly fitted to adorn the highest places of literary culture, rejecting the most flattering and honorable overtures, that he might wear his life out in untold privation and sacrifice among the mountains of Persia. Such men do not live or die to themselves. They reproduce something of their own likeness, not alone on the arduous paths they trod, but in unnumbered homes and quiet walks of duty, in humble scenes, in the susceptible hearts of children, in our colleges, in our rural parsonages, and wherever is a chord that can vibrate at the touch of what is most noble, generous, and holy.

In connection with this department of our subject, we ought not to forget the biographies of the deceased Corresponding Secretaries of the Board, of whom four have been commemorated in volumes, and a fifth in the pages of the Missionary Herald. These were all marked men, closely identified with their work, bringing to it strong minds and fervent hearts, and taking into their characters the heroic elements with which it is fraught. The first of these was Rev. Dr. Samuel Worcester, a pioneer in the cause, whose prescient mind saw in its very inception its destined triumph, and whose plastic and organizing ability was second to no agency in its early success and rapid growth. Though a keen controversialist, he was pre-eminently "a man of the beatitudes," uniting with the hardiest features of character — a strenuous purpose and an indomitable will — all the amenities of the Christian gentleman. In his declining health, he sought renewed strength where most men in his condition would have expected only a grave, among the Cherokee Indian tribe, where a flourishing mission had been established. He attained his goal, witnessed the achievements of Christian civilization among the rude aborigines, mingled his last prayers with those of the missionaries and their converts, and sank to his rest in the forest, where, through his instrumentality, already "instead of the thorn was the fir-tree, instead of the brier the myrtle."

Jeremiah Evarts, a lawyer by profession, succeeded him, and after ten years of earnest and exhausting toil died, like his predecessor, on a journey undertaken too late to repair the waste of an overtasked body and mind. Dr. Anderson justly, if not with too guarded panegyric, says of him: —

"He had a mind and a heart that made him a prince in the domain of intellect and of goodness. He was far-seeing, cautious, earnest, firm, conciliatory, — everything, in short, to render him an eminently suitable person to conduct one of the grandest of human enterprises. His memorial is in the record of his wise plans successfully carried out, of his untiring labors cheerfully performed, of his manifold sacrifices patiently submitted to, and of the joy unspeakable and full of glory that filled his soul while the gate of heaven was opening to receive him." — p. 125.

Rev. Elias Cornelius, D. D., was appointed Mr. Evarts's successor, but died — also at a distance from his home — before he had assumed the active duties of his office. He had, however, at an earlier period served as an agent of the Board among the Indians in the Southwest, and had been largely instrumental in arrangements designed to promote those arts of civilization without which there may be sporadic cases of conversion from heathenism, but no permanent and transmissible Christian institutions. He was a man of rare powers and graces, beloved as a pastor, eloquent as a preacher, of rich and varied culture, of singular executive ability, and of ardent and consistent piety.

The work of the Board had so increased as to demand a division of labor, and Rev. Benjamin B. Wisner, D. D., was chosen one of three Corresponding Secretaries in 1832. His character is well sketched by Dr. Anderson.

"Dr. Wisner had the rarest qualifications for a secretaryship in a great missionary institution. His spirit, naturally somewhat overbearing, had been softened by a partial failure of health and pastoral trials. Cheerful, social, rejoicing in the usefulness of his associates and of all about him, his fine conversational powers made him a most agreeable companion. His public spirit made him ready for every good work; and such was his love for work, that he seemed never to grow weary in well-doing. He did everything promptly and thoroughly, and little things and great things equally well; not with eye-service, or to have glory of men, but because he loved to be doing good, and because nature and grace made him happy in doing with his might what his hand found to do. So it was always and everywhere; and this made him the man for committees and sub-committees, on which he was generally to be found, when work was to be done trenching largely upon the hours usually appropriated to rest and sleep. He was a model of a business man — wakeful, cheerful, collected, judicious, laborious, devoted, disinterested. It was no mere official interest he had in his duties. The public welfare was his own. He felt a responsibility for the course of events. His heart was in the great cause of missions — in every part of it.

"His forte was executive. But he had great power also in debate in deliberative bodies. As a writer, he did not readily adapt himself to the popular mind. There was a lack of fancy and imagination, of the discursive and illustrative power, and of flow in thought and style

— defects that may have been owing to some infelicity in the manner of his education. But, as an extemporaneous debater, he would have commanded attention on the floor of either House of Congress. At the very outset of the discussion, he seemed to have an intuitive perception of the leading points, in their natural relations and order, and to be at once prepared for a logical, instructive, convincing argument. This always gave him influence in deliberative bodies, where his tact and ability seemed never to be at fault.

"His mental powers came early to maturity; and comparing his labors and influence with those of other men, he needed not threescore years and ten to stand with the more favored men in the impression made upon his age. Yet his early death has ever seemed among the greater mysteries of God's holy providence." — pp. 217, 218.

Dr. Wisner was succeeded by Rev. William Jessup Armstrong, D. D., who lost his life in the wreck of the steamer Atlantic in 1846. In the fearful scene from which he was translated he moved among his companions, calmly and trustingly, with words of consolation and hope; as the crisis approached, his fellow-passengers crowded around him, "because," said one, "it seemed safer to be near so good a man"; and, as he was swept into the sea, he gave utterance to his "perfect confidence in the wisdom and goodness of Him who doeth all things well."

These men were, indeed, selected for their offices because they were men of eminent powers, large influence, and surpassing excellence. But it is not too much to say that it was the missionary cause that made them fit to conduct it, that they were educated for their office by the momentous interests which that office gave into their charge, and that thus alone were they raised from the rank and file of well-to-do Christians to the foremost places in the sacramental host. With Dr. Worcester, indeed, there is reason to believe that the world-embracing plan had an independent origin, though not prior to the Williams College union; — it would appear that he had meditated and talked of it before he had listened to the appeal of Mills and his companions. We cannot doubt that his soul was enlarged and exalted by the great thought, and that his whole life flowed ever after in a fuller current of religious emotion, energy, and efficiency. His successors were

not chosen for their work, but made by it. They were put into their office, because they had previously devoted themselves with ardor, wisdom, and distinguished success to other departments of the service, or had manifested a profound and fruitful interest in it. We are led to similar reflections on looking over the lists of the various office-bearers and the corporate members of the Board. We find among them a large number of the very men whose characters would denote, not mere Christian culture, but the operation of the strongest forces which our religion can bring to bear upon the human soul, — men whose lives must needs have been formed under the overmastering influence of some great religious idea, toward which they have reached on and up, till the extensor muscles of the spiritual man have gained preternatural vigor, and the apprehensive faculties have acquired a superlative aptness, keenness, and precision as to all things human and divine. Nor let it be thought that we are pursuing a mere fancy. In all departments of life men are thus trained and developed. They elect their spheres of thought and action, and then are enlarged, dwarfed, or rounded to the measure they have chosen. The natively great thus become small, and the natively small, great. The American Revolution shaped the men who controlled its movement. Paltry party politics shape after a widely different type the men who seem their masters and mystagogues. Why should not the noblest conception which can enter the human soul, the most godlike service which can be rendered by human wisdom and charity, equally give tone to life and character?

We have devoted as much of our space as we can now afford to the biographical literature of missions, yet have conveyed to those who are not familiar with it but a faint idea of its affluence. To pass to another department, the American pulpit has given utterance to no eloquence surpassing that which has been called forth on the various occasions presented by the exigencies of this enterprise, in anniversary, ordination, and funeral sermons. Dr. Wayland's Sermon on the Moral Dignity of the Missionary Enterprise remains unequalled for grandeur of thought and style. Its periods roll on as if fraught full with the glory of a regenerated world. It sent a

glow of zeal and joy through the Christian hearts of the land, and, if we remember aright, was reproduced in other tongues, and wellnigh made the circuit of the globe. Similar in strain, and striking every vein of feeling that could have its pulses quickened by the theme, have been the numerous discourses of which we have a list in the volume before us. Dr. Hopkins's Semi-Centennial Discourse is stamped with the massive features of his intellect, — not artistically wrought, but displaying a wonderful compression of narrative, argument, and emotion, most forcefully combined and interfused, and falling upon the reader as in his energetic utterance it must have fallen upon the hearer, with an absolutely irresistible weight of conviction. We quote the closing paragraphs.

"What the precise blending is to be of those two great elements of change, tendencies and personal interposition, or how long the unchecked current of tendencies is to run, it is not for us to say. God makes haste slowly. The bud is formed, and then winter intervenes. The baffled spring lingers. According to geology, the days were long while tendencies did their tardy work of upheavings and deposits. For four thousand years the ages were in preparation for the coming of Christ. But at length God said, 'Let us make man'; at length 'the Desire of all nations' came. Personality asserted a visible supremacy, tendencies were seen to be flexible to will, and special interposition reached its high-water mark, up to the present time.

"But we now wait for another and broader movement. We think that prophecy and converging tendencies both indicate that we are nearing, and rapidly too, a point from which a new epoch is to open. As at the coming of Christ there were musings and forebodings, and the quickened sense caught presage of coming change, so it is now. The very air is full of its voices. The fig-tree puts forth leaves. For the first time since the dispersion of men, is the world waking up to the consciousness of itself as one whole. Hardly yet do we comprehend fully the great thought of the Master, that 'the field is the world.' In their early dispersions, men diverged as upon a plain. That plain they now find to be a globe, upon which divergence becomes approximation and ultimate unity. The circuit of that globe, with every continent, and island, and ocean that it rolls up to the sunlight, or buries in its shadow, is now known; and this it is that we are to conquer for Christ. How wide the field, compared with that of primi-

tive missions! How wide the work now, compared with it then! Never before was there such a theatre for the action of moral forces; never before were there such forces to act; or such subordination of nature to them, giving them new facilities, and instruments of mightiest power; and never before were these forces taking their positions, and mustering themselves in such relations, as now. The old issues and spectres of fear are passing. The papacy is reeling; the crescent is waning; idolatry is tottering; infidelity is shifting its ground and hesitating; the masses are upheaving. The power of those great principles of liberty and equality, which *are* Christ's Gospel on its human side, is beneath them, like that of the earthquake, and oppression and slavery are seeing the handwriting upon the wall, and the joints of their loins are being loosed. And Christians are praying and giving, and when the cry comes for special help they hear it; and there is joy and thanksgiving in ten thousand hearts this night that they do; and the battalions in the great army are nearing each other, and the shout of each becomes more distinct in the camp of the other; and to-night we lift *our* shout, and hold forth the hand of fellowship in this work to all who love the Lord Jesus. And more than all, the Spirit of God is poured out, and revivals are extending, and these showers of divine grace so descend as to show what 'the great rain of his strength' may be. Now the field rounds itself out into some proportion to the love of God in sending his Son; now that achievement comes up into its place for which the mighty energies that have been perverted in war and worldliness were intended; now we see the full contrast between the solitary Sufferer upon Calvary and his work; and looking upon him and upon it, we say, Yes, thou Man of sorrows, thorn-crowned and buffeted, it shall all be thine. He 'shall give thee the heathen for thine inheritance, and the uttermost parts of the earth for thy possession.' Looking upon him and upon it, we join our voice to that of the heavenly host, saying, 'Worthy is the Lamb that was slain, to receive power, and riches, and wisdom, and strength, and honor, and glory, and blessing.'

"Brethren, we rejoice that we live in this day, and may have a part in this work. It is not for us 'to know the times or the seasons, which the Father hath put in his own power.' It is not for the husbandman to bring on the summer. It is for him to sow and plant, and wait the movement of the heavens. So let us, so let every Christian, go forth — weeping if need be — bearing precious seed; let us sow beside all waters; let *us* see that there shall be the handful of corn upon the top of every mountain, and *God* will see that 'the fruit thereof shall shake like Lebanon.'" — pp. 34 – 36.

Its services to learning and science merit especial commemoration in treating of the missionary enterprise. In philology and in descriptive and physical geography more has been effected within the last half-century by this agency than by all others, and in our own country the contributions of the missionaries of the American Board to these branches of knowledge have borne to other researches and discoveries a proportion which it would be impossible to estimate, and which, could it be stated in figures, would seem almost mythical. The mere scholar may gratify his taste and win his desired meed of fame by manipulating pre-existing materials, by editing a new text of a well-known author, or propounding a new theory for familiar facts, or making a generalization which simplifies a science without adding to its contents; while the missionary must lay the foundation of his work, for the most part, by learning what civilized man had not learned before. The scene of his labors is, we will suppose, some previously unexplored region of Asia or Africa. He must first select a base line for his spiritual triangulation. He must measure the whole field over which his operations are to extend. He must ascertain the position of its mountain chains, the course of its rivers, the trend of its coast, the directions in which it is permeable. He must warily stretch his cordons of communication through its whole length and breadth. In the absence of great thoroughfares and established modes of intercourse, he must obtain all his bearings with scientific accuracy. A thoroughly constructed map is an almost inevitable result of his exploration. Then he must acquire the language of the natives. He has no grammar or vocabulary, probably no conventional written signs for his guidance. Slowly and tentatively he must ascertain the names of familiar objects, then the inflections of words, the particles, the syntax. In his careful and measured synthesis, he must embrace all that constitutes the conventional grammar of the tongue, before he can utter his message or commence the labor of translation. Meanwhile, he has the yearning of a solitary man for communion with his kind, the profounder yearning of a Christian soul to utter the Word of light and life to the benighted and the dying. Under this mighty impulse, the seemingly hope-

less work grows and glows. The barbarous jargon is mastered. Its sounds, which he learned to articulate only by painful torture of the vocal organs, are reduced to alphabetic expression. The Saviour's words are committed in their strange garb to the mission press. A vocabulary follows. A new language is given to the learned world, to be analyzed, classified, traced to its analogues in other tongues, and fused into the still fluent and Protean science of linguistics.

At the same time, our missionary must enter on a still more intricate department of research, — the human, moral, spiritual geography of the province which he is to annex to Christendom. He must ascertain the past and present of the race, if he would shape its future. Custom, tradition, faith, ritual, government, domestic life, — in all these are instrumentalities which he must use, or obstacles which he must surmount, or vices which he must cure. He can afford to remain ignorant of nothing that can be known. His are not the cursory observations, the sweeping inductions, the gratuitous inferences, of the mere traveller, nor yet the partial, one-idea investigations of the scientific explorer. He associates himself with the home-life of those who will give him entrance. He is with the suffering and the dying. His superior knowledge and skill are resorted to in emergencies of peril. As soon as he can win a convert to his religion, he has gained an avenue through which he can penetrate into mysteries else sealed; and as his band of believers grows, he is brought into familiar conversance with a new phase of humanity. His materials are embodied in his periodical reports, or they accumulate in his hands till he can furnish his volume or volumes of descriptions and experiences; and in either form they become a rich repertory of authentic facts in ethnology, available equally for the purposes of science, enterprise, and philanthropy.

Yet more, the missionary can hardly fail to render services of the last importance in that science of so vast moment and so vague dimensions, for which our own age has coined the appropriate term *humanics*. In modern civilized society, it is almost impossible so to eliminate the accidental and variable in man's condition from the innate and indestructible elements of his nature, as to determine the ultimate facts with

regard to his constitution, capacities, and intuitions. An overestimate of these is fatal in practice; for it leads to the ignoring and disallowing of those reputedly divine means of culture which promise to supplement the deficiencies of nature. On the other hand, an unduly low estimate of man as he is in himself creates the expectation of, and cherishes the belief in, the perpetual intrusion of supernatural agents upon the sphere of human action, and nurses enfeebling and baneful superstitions. The former is the tendency of our time; and even a candid consideration of the positive arguments in favor of revelation is superseded, in many minds, by a flattering philosophy of human nature. On the Christian hypothesis, the facts that seem to legitimate this philosophy are easily accounted for. Christian ideas have so pervaded the common thought and feeling of civilized nations, that none can wholly escape their influence; and many notions, impulses, and sentiments which can be traced to no express teaching, and are therefore deemed the spontaneous outgrowth of the soul, are in fact breathed in from a circumambient atmosphere which, if analyzed, would betray the modifying influence of Christianity. In fine, this element cannot be eliminated in our study of civilized man. Man *plus* Christianity, even though the last exist in too small proportion for the spiritual benefit of the individual, is the compound presented to the philosopher of the nineteenth century. The missionary, on the other hand, has the rare opportunity of contemplating humanity as it is in itself, — of ascertaining what man, left to his own light and strength, can know, and do, and attain. And if the result of his observations be the confirmation of his traditional faith, — the profound conviction that man's nature lacks and needs what a revelation from God alone can supply, — who can reject conclusions based on such premises? If the naturalism which in so many quarters seeks to supersede the simple faith of our fathers finds no support from the psychological phenomena of heathenism, the irresistible inference is, that its inductions have been drawn from too narrow a range of facts, and are therefore unworthy of reliance.

Still farther, there are various departments of expressly theological science to which the missionaries of our age have

brought large accessions. Their labors are wrought, in great part, among those nations of the East whose manners, habits, and customs have been stereotyped from time immemorial, and among those features of Oriental scenery which are the same now as in the days of Abraham, Isaiah, and Christ. Much of the imagery of the Scriptures needs for its illustration precisely such knowledge as lies on their daily walks. Many transactions recorded in Holy Writ are explained and verified only by such observations as are forced upon their regard. Many modes of thought and turns of expression are made clearly intelligible only by the surviving ideas and idioms of the Eastern nations which fall within the scope of their researches. An intelligent and Christian Asiatic once said to us: "A great deal of the material of your commentaries on the Bible is wholly worthless to me. Things often seem perfectly natural to me which a commentator will waste pages in endeavoring to reconcile with probability." Such being the case, who can estimate the services rendered in the department of Biblical criticism alone by a band of educated men who love the Bible, and whose duties lie among scenes, objects, and people identical with, or closely resembling, those commemorated in the sacred record?

There are also some portions of ecclesiastical history that lie open to the missionary as to no one else. Of the Eastern churches, much more than has ever been written remains unwritten and unknown. But the materials for reproducing what has not yet found record exist in part in tradition, in part in ecclesiastical rites and institutions, and in theological symbols and ideas which have manifestly been transmitted from a remote antiquity. The missionary who seeks to make real the ostensible Christianity of these representatives of the early separatists, must needs enter into their ecclesiastical life, in order to recast it; must become conversant with their ancestral opinions, in order to replace them by better; must learn their traditions, in order to separate from them their admixture of falsity and error. We are to look, then, primarily to this source — and we have already the first-fruits of such an expectation — for effective researches in this large, interesting, and instructive department of the history of the Church, — for

lines of testimony that shall carry us back to the time when primitive Christianity had its pure white light broken into varying hues by refracting media.

Such would be our reasonable anticipations at the hands of missionaries in the various realms of literature and science. How far such expectations have been realized may be ascertained in part from the volume before us, yet only in small part, as missionary associations other than the American Board have rendered similar incidental aid to good letters and substantial knowledge. As regards geography, in every region that has been opened to the curiosity of the present generation, if we except the region of the Amoor, missionaries have been the pioneer explorers. They have penetrated Africa in every direction, and their carefully written and ably illustrated volumes, filled with what they have seen and experienced, and vivified by the humane sentiment which pervades them throughout, stand in strong contrast with the jejune, spiritless sketches of some secular tourists, and the exciting myths and exaggerations of others. Dr. Anderson, in company with Rev. Eli Smith, one of the missionaries of the Board, made the earliest exploration of the Morea and the Greek islands after the establishment of Grecian independence, and the resultant volume was warmly welcomed by the Royal Geographical Society of London, as having made extensive and valuable additions even to what the English had learned of a region so much frequented by their ships of war, and under safer auspices by their men of letters. The researches of the same Rev. Eli Smith and Rev. H. G. O. Dwight (whose recent death by a railroad accident in Vermont, after his escape from unnumbered perils by land, by water, and "among false brethren," has sent a thrill of grief through the country), in Asia Minor, Georgia, and Persia, and among the Nestorian and Chaldean Christians in Oroomiah and Salmas, were published in 1833, and shortly after republished in London, with the highest commendation from the most distinguished authorities. On our own continent, an exploring tour beyond the Rocky Mountains, undertaken by direction of the Board by Rev. Samuel Parker, "first made known a practicable route for a railroad from the Mississippi to the Pacific."

We would here refer briefly to two works of signal merit, which have been reviewed at length in the pages of this journal. Williams's "Middle Kingdom" remains unrivalled as the most full and accurate account of China — its inhabitants, its art, its science, its religion, its philosophy — that has ever been given to the public. Its minuteness and thoroughness are beyond all praise. Rev. D. O. Allen's "India, Ancient and Modern," with an admirable abridgment of the history of India, contains a detailed and exhaustive statement of the present condition of that country, and of the various nationalities, religions, and governments that occupy and divide its soil.

On the geography of Palestine the prime authority, acknowledged as such throughout the learned world, is Robinson's "Biblical Researches," with its invaluable apparatus of maps. Of missionary agency in the production of this work Dr. Anderson makes the following statement: —

"Here it is not improper to claim, as belonging, in an important degree, to this department of the literature of the Board, the great modern authority on the geography of Palestine, Robinson's 'Biblical Researches.' Without the preparations made by the mission at Beirût, and especially by the Rev. Eli Smith, who accompanied Dr. Robinson in his explorations, such a work would have been impossible. To a great extent, the present Arabic names of places mentioned in the Bible are the old Hebrew names, modified according to certain rules which Mr. Smith perfectly understood. With the assistance of well-informed natives, he had prepared a complete list of all the small districts into which Palestine is divided, with their several locations, and lists, nearly perfect, of all the names of places in each of these districts. By means of these lists, every day's work could be planned to the best advantage, as the travellers knew what they could search for with any hope of success, and very nearly where to search for it. Nor was it a slight advantage, that Mr. Smith was perfectly familiar with the language, character, and habits of the people among whom these explorations were to be made, whose aid they often needed, and whose acquiescence in their proceedings was always necessary; and that he was personally known and esteemed by many of them, and especially by those whose friendly influence was most important. Dr. Robinson, in his published 'Researches,' has fully acknowledged the value of this assistance; but it requires a better understanding of the circumstances than many readers possess, fully to appreciate the amount of his acknowledgment." — pp. 380, 381.

Of literature illustrative of the Bible, we know of no work so well arranged, so affluent, so equally adapted to the purposes of reference by the scholar and of familiar use by the ordinary reader, as "The Land and the Book," by Rev. W. M. Thompson, who had been for twenty-five years a missionary in Syria and Palestine.

But time fails us for our enumeration. We have given but a few titles among scores that equally deserve our grateful commemoration. We ought not, however, to omit emphatic mention of the "Missionary Herald," a periodical containing reports from all the missionary stations, with accurate statistics embracing every department of knowledge on which the researches of its contributors can throw light. If we were to leave out of thought its prime purpose of enkindling and sustaining zeal in the great work of evangelizing the world, and to regard it solely as a journal for the dissemination of knowledge and the advancement of learning, it would easily hold the first place among the periodicals of the age.

But we have not yet entered upon the most arduous and recondite literary labors performed by these soldiers of the cross. In philology they have accomplished more than all the learned world beside. The publications of the American Board in and concerning foreign languages number already nearly two thousand titles, in nearly forty different tongues. Many of these are translations of the entire Bible. Many are vocabularies and grammars of languages previously unknown to civilized man, and in not a few instances of languages previously unwritten. Who can estimate the amount of patient, intricate, baffling toil involved in these issues of the missionary press! How completely does it distance and throw into the shade the labors of retired scholars, in the shelter of well-stocked libraries, surrounded by reference-books, cheered by the sympathy of men of kindred tastes, and urged on by the anticipated plaudits of the erudite public in all lands! The missionary has no thought of fame; his only impulse — the noblest, indeed, and the mightiest of all — is the desire to save his fellow-men from spiritual death, and to enlarge the empire of Him whose are all souls, and to whom is destined "the kingdom and the dominion under the whole heaven."

We have purposely confined ourselves to the reflex influence of missions on Christendom. We have not time to present the immeasurably larger and more beneficent results that have ensued from their direct action. Nor, indeed, would it be possible by any statement to do them justice. The early history of every mission must almost necessarily be barren of the outward evidences of success. A great work must be wrought out of sight, before any work can appear. Patient and obscure toil must build the coral reef under the waters of superstition and idolatry, before there can be lodgement for soil or seed where Christian philanthropy has resolved that there shall be "a garden of the Lord." It may require a heavier outlay of time and money, zeal and strength, to make the first convert, than to gather in thousands at a later period. While we are writing, our eyes have rested on the statistics of the Ahmednuggur mission, which received but nine church-members from 1831 to 1835 inclusive, and three hundred and sixty-three from 1856 to 1860 inclusive. This great increase is attributed by Dr. Anderson to the distribution of missionaries in various districts; but such distribution can take place only after the ground is thoroughly surveyed, the language learned, the press in activity, and the interest of native helpers and sympathizers secured. But the sunken foundation, once laid, is laid for all time. The researches put on record, the language reduced to form and brought to knowledge, the translations executed, will remain available for future laborers, even should the field be for a season deserted, or should adverse causes thwart for a while the best directed endeavors.

At all the stations of the American Board, we have what is far better than a flattering array of figures, — satisfactory evidence that the preliminary work has been faithfully wrought, or is now in hopeful progress. At several of them, there are large native churches, or clusters of churches embracing an extended territory. From some of them there are going forth enlightening and reforming influences, that are already forcefully felt in the political, social, and religious condition of the respective countries. Among the Oriental Christians, in some instances, the missionaries, judiciously availing themselves of such Christian forms, usages, and institutions as they found

surviving, are, without violent revolution, gradually infusing the almost obsolete elements of a working religion and a practical devotion. In other cases, it has been impossible to "put the new wine into the old bottles," and it has been found necessary to establish churches side by side with the ancient ecclesiastical order.

But the American Board has not merely made aggressions on Paganism, or modified heathen rudeness and barbarity, or restored something of the spirit of Christ where it found his name. Foreign missions are, in its theory, but a temporary institution. Its design is not to keep the less enlightened nations always in leading-strings, and dependent for religious influence, guidance, and restraint on foreign teachers and distant charity. The work of the missionary is complete only when his services are superseded. The true test of his success is in the degree to which this result is attained or approached. The conversion of an entire nation or tribe has had, we believe, till the present century, no precedent since the final establishment of Christianity in the countries of Northern Europe. Under the auspices of the American Board, nations have been Christianized. The Cherokees are a Christian people. Their constitution requires a belief in the Christian religion of all who hold office under it. Their laws provide for the daily reading of the Scriptures in their schools. They number about twenty-one thousand souls, and are making constant progress in the arts of civilized life. The Choctaws, whose remnant is about one third as numerous as that of the Cherokees, are also a converted people; and not far from one fourth of the whole population — a large proportion — are members of Christian churches. The Tuscaroras enjoy the same distinction, and many of their youth are making such proficiency in the elements of an English education as to promise large usefulness to those of their own and succeeding generations. The territories of these nations are no longer occupied as missionary stations, though the people still enjoy in part the oversight and religious services of other than their own native teachers. There remains the case of the Sandwich Islands, — in its providential preparatives, in its thoroughness, and in its good promise of permanence, perhaps the

most remarkable instance of national conversion on the records of the Christian Church. The story is best told in the following statement made to the Board at its annual meeting in 1853.

"The mission to the Sandwich Islands left the United States October 23, 1819, and first saw the Islands early in the following April. God prepared their way; one of the strangest of revolutions having occurred just before their arrival. The national idols had been destroyed, the temples burned, the priesthood, tabus, and human sacrifices abolished. All this, however, was only a removal of obstacles. It really did nothing to improve the character of the people, nor could it alone have ameliorated their condition.

"The horrid rites of idolatry had ceased; but the moral, intellectual, social desolation was none the less profound and universal. Society was in ruins, and could not exist at a much lower point; and it was there the mission commenced its work. What desolation was there in the native mind, as regards all useful knowledge! The language was unwritten, and of course there were neither books, schools, nor education. The nation was composed of thieves, drunkards, and debauchees. The land was owned by the king and his chiefs, and the people were slaves. Constitutions, laws, courts of justice, there were none, and no conception of such things in the native mind. Property, life, everything, was in the hands of arbitrary, irresponsible chiefs, who filled the land with discord and oppression.

"But that people has become a Christian nation; not civilized, in the modern acceptation of the term; not able, perhaps, to sustain itself unaided in any one great department of national existence. Laws, institutions, civilization, the great compact of social and political life, are of slower growth than Christianity. A nation may be Christian, while its intellect is but partially developed, and its municipal and civil institutions are in their infancy. In this sense, the Hawaiian nation is a Christian nation, and will abide the severest scrutiny by every appropriate test. All the religion they now have claims the Christian name. A fourth part of the inhabitants are members in regular standing of Protestant Christian churches. The nation recognizes the obligations of the Sabbath. Houses for Christian worship are built by the people, and frequented as among ourselves. So much, indeed, was the blood of the nation polluted by an impure commerce with the world, before our Christian mission, that the people have a strong remaining tendency to licentiousness, which the Gospel will scarcely remove till a more general necessity exists for industry and remaining at home.

The weakness of the nation is here. But Christian marriage is enjoined and regulated by the laws, and the number of marriage licenses taken out, in the year 1852, exceeded two thousand. The language is reduced to writing, and is read by nearly a third part of the people. The schools contain the great body of the children and youth. The annual outlay for education, chiefly by the government, exceeds fifty thousand dollars. The Bible, translated by the labors of eight missionaries, was in the hands of the people before the year 1840; and there are elementary books in theology, practical religion, geography, arithmetic, astronomy, and history, — making together a respectable library for a people in the early stages of civilization. Since the press first put forth its efforts in the language on the 7th of January, 1822, there have been issued nearly two hundred millions of pages. Through the blessing of God on these instrumentalities, a beneficent change has occurred in all the departments of the government, in the face of fierce outrages from seamen and traders, and deadly hostility from not a few foreign residents. The very first article in the Constitution, promulgated by the king and chiefs in the year 1840, declares 'that no law shall be enacted which is at variance with the word of the Lord Jehovah, or with the general spirit of his word'; and that 'all the laws of the Islands shall be in consistency with God's law.' What was this but a public, solemn, national profession of the Christian religion, on the high Puritan basis? And the laws and administration of the government since that time have been as consistent with this profession, to say the least, as those of any other Christian government in the world. The statute laws organizing the general government and courts of justice, the criminal code, and reported trials in the courts, printed in the English language, make five octavo volumes in the library of the Board. Court-houses, prisons, roads, bridges, surveys of lands, and their distribution, with secure titles, among the people, are in constant progress.

"Here, then, let us, as a Board of Foreign Missions, in the name of the community for which we act, proclaim with shoutings of grace, grace! that the people of the Sandwich Islands are a Christian nation, and may rightfully claim a place among the Protestant Christian nations of the earth!" — pp. 253 – 255.

We dismiss our subject reluctantly. Peculiar and painful engagements have cut short the treatment which we had designed to give it. At some future time — the Board will never suffer us long to lack a fitting text — we hope to return to it, and, if we fail to do it justice, at least to fall not wholly below our sense of its dignity, magnitude, and blessedness.

ART. X. — *Report upon the Physics and Hydraulics of the Mississippi River; upon the Protection of the Alluvial Region against Overflow; and upon the Deepening of the Mouths: based upon Surveys and Investigations, made under the Acts of Congress directing the Topographical and Hydrographical Survey of the Delta of the Mississippi River, with such Investigations as might lead to determine the most practicable Plan for securing it from Inundation, and the best Mode of deepening the Channels at the Mouths of the River.* Submitted to the Bureau of Topographical Engineers, War Department, 1861. Prepared by CAPTAIN A. A. HUMPHREYS and LIEUTENANT H. L. ABBOT, Corps of Topographical Engineers, United States Army. Philadelphia: J. B. Lippincott & Co. 1861. 4to. pp. 456; with an Appendix, pp. 146, and 20 Plates.

THE Mississippi River, above the mouth of the Missouri, flows, like many other large rivers, between bluffs and permanent banks with a gentle current and a clear tide. Below the mouth of the Missouri, its whole character changes, and it becomes a turbid, boiling torrent, tremendous in volume and force. Henceforth it pursues a devious course for thirteen hundred miles, washing away banks and islands here, rebuilding them there, absorbing, without visible increase of size, tributary after tributary, until at last the river is itself swallowed up in the greater volume of the Gulf. Just above the mouth of the Ohio begins a great alluvial plain some fifty miles in width, which is mostly *below the level of the floods*. This fact has made the problem of protection against overflow the great practical question involving the prosperity of that entire region.

The river was first settled near its mouth, at New Orleans and Natchez. The high bluff on which Natchez is built, being one hundred and fifty feet above the river, effectually relieves that city from all danger of inundation. But at New Orleans the very condition of existence is artificial protection against this danger. Here then, at the very outset, began the great struggle which, throughout the alluvial region, has made the

history of civilization the history of river-protection. From 1727, when, in November, Governor Perrier announced that the first levee at New Orleans, a dike 5,400 feet long and eighteen feet wide at top, was completed, down to the present day, when more than a thousand miles of levees line the banks, the constant object of legislation and private care has been to restrain this terrible friend within his proper bed. The great prominence of this question of protection has carried it into local politics, and made it an issue on which party success has depended. In Louisiana the Outlet party and the Levee party have fought, in caucus and mass meeting, the same battle for power which is fought elsewhere under other names. The statute-books of the River States are full of laws on the same subject, and the ever-present danger causes a never-ceasing agitation.

The history of this question furnishes one among the many proofs of the necessity of a great central government and of union among the States. Momentous as is the decision, vast as are the consequences involved therein, indispensable as united action is to success, the River States have never been able to agree upon the same policy, or to join in making the needed investigations, and using their results. Although these embankments have now been building for nearly one hundred and fifty years, want of concert, and of that knowledge which could have been gained by concerted action alone, has rendered them ineffective. The consequence has been, that one district has been submerged through the faulty character or execution of the laws in another district, and the want of success has conspicuously exhibited the misdirection and division of effort. Millions of dollars have been uselessly expended already, and now a sum is required for the thorough protection of the valley from overflow, which, though great, "does not, probably," in the pointed words of the Report, "largely exceed the amount which has actually been spent in abortive attempts." All the violent upheavals of political strife, and even the very instinct of self-preservation, have been insufficient to bring into harmonious action three or four independent States, while all the divided efforts of their State engineers have entirely failed to devise any sure plan. It was

not until the United States government undertook the investigation that the first conditions of success were ascertained, or even the first step taken toward a correct solution of the problem. What clearer illustration of the delusion which now overclouds the Southern Mississippi Valley is needed than is afforded by this fact? The beneficent action of that government alone, which they are now striving to cast off, has entirely solved for them the problem of river protection, which is to them the very issue of life and death.

In September, 1850, the federal government, by an act approved September 28, granted to the several States on the Mississippi all the swamp and overflowed lands within their limits remaining unsold, in order to provide a fund to reclaim the districts liable to inundation. The States of Louisiana, Mississippi, Arkansas, and Missouri, soon began vigorously to avail themselves of this grant by organizing under it the necessary offices and commissions. The people at the mouth and in the lower valley of the river, alarmed lest the effect of the reclamation of vast swamps above should be to increase the floods below, and fearing the results for themselves, invoked the aid of the general government in the necessary surveys for investigating the matter. From this movement the Delta survey took its origin. The vast task has at length, after many years of intense labor, been accomplished, and its fruits are now before us in the very elaborate and masterly Report which is the subject of our review.

The Report has been prepared by Captain A. A. Humphreys and Lieutenant H. L. Abbot, of the Corps of Topographical Engineers, United States Army. From the beginning, the work has been in charge of Captain Humphreys, a name well known to every one acquainted with American science, and which is associated with, literally, almost every important scientific work undertaken by our government during the last quarter of a century. He began field operations in November, 1850, but was compelled by severe illness, occasioned by exposure and overwork in the survey, to suspend them in the summer of 1851. His health was so shattered that he was long an invalid. Upon his recovery he was overwhelmed with other professional duties, — among which may be named the

general charge of all the Pacific Railroad Surveys, — so that the river work was not resumed until the summer of 1857. Lieutenant Abbot, who had previously been engaged, under Captain Humphreys's orders, upon the Pacific Railroad Surveys, was then, at Captain Humphreys's request, assigned to duty upon the Delta Survey. In November, 1857, Lieutenant Abbot proceeded to the river to organize the parties, and prosecute the surveys and investigations. Since that date the Delta Survey has proceeded without interruption, and the amount of field and office labor performed is absolutely astonishing. The wide region covered by the plan, the multitude and variety of observations required, the precision and skill demanded in them, and, above all, the genius which could first devise the scheme of field observation, then execute it successfully, and finally interpret the enormous mass of facts and data, and evolve from the chaos the beautiful laws of science and the simple practical conclusions contained in the Report, fill the reader with wonder. Of the office work, and Lieutenant Abbot's share in it, Captain Humphreys speaks as follows, in his letter to the Bureau: —

"This work, which was in fact the preparation of the Report, was performed by myself and Lieutenant Abbot. It involved an amount of labor and study which will not perhaps be fully appreciated even by professional persons. Devoted to the task, Lieutenant Abbot brought to its performance great industry, energy, sagacity, and skill in analysis, the fruits of which, to be found in every part of the Report, are particularly exhibited by the chapters in which the flow of water in natural channels is treated. But a perusal of the Report will convey a more forcible impression of the extent and value of Lieutenant Abbot's labors than any terms of acknowledgment that I can use."

And finally, with a liberality only too rare among scientific men, he transmits the Report to the Bureau in the joint names of himself and Lieutenant Abbot, in the following words: —

"The association of Lieutenant Abbot with me in this duty has been of such a character that the title of the Report should bear his name as well as mine. I beg leave, therefore, to submit it herewith, to the Bureau of Topographical Engineers, as our joint Report upon the Survey of the Delta of the Mississippi River."

It is not too much to say, after a careful study of this Report, that, as a work of science, it will not suffer by comparison with any in our language, while it is in its special department without a peer, and almost without a rival. It finds the whole subject of river hydraulics a confused congeries of discordant theories and untenable hypotheses, the offspring of insufficient generalizations. It leaves it a determinate science, the result of wide observation of facts, acute and laborious combination, and rigid and logical scientific analysis. Its authors may well be proud of their work, for it places them in the front rank of scientific men, and shows them to be the discoverers of a science, the first-fruits merely of which appear in their deduction of the laws which regulate the flowage of the Mississippi.

The typographical execution of the book is very neat. It is a pleasure to see the Report presented to the public in a dress worthy of its contents, and in striking contrast to the slovenly appearance of many of our government works. The paper is fine, white, and thick; the type, large, clear, and fresh; the page, quarto, with wide margin, and side-notes so excellently arranged in full-faced type as partially to compensate for almost the only fault which can be found with the book, the absence of an alphabetical Index.*

Having now described the necessity and origin of the survey, and the general character of the book, we propose to give a brief analysis of its contents in the order of its chapters, before proceeding to furnish a condensed statement of its subject-matter, or adverting to the questions which it discusses, and which, of absorbing interest in the Mississippi Valley, are of much general interest to intelligent men everywhere.

Chapter I. is introductory, and supplies a full account of the geography of the river basin, which, if we exclude Russia, Norway, and Sweden, is more than equal in size to the whole continent of Europe. Facts about the tributaries of the river have been collected from every quarter, and this chapter af-

* It is but fair to state that upon inquiry we found the sole reason of this omission to have been the pressure of military duty. Before the book had passed through the press, its authors were called to the field.

fords immeasurably more information about the whole valley than was ever before collected. It ends with a condensed tabular exhibit of the principal hydrographical features; — a table which hereafter must be quoted in every respectable encyclopædia; for it gives a tabular statement for each great tributary, comprising a series of distances from the mouth, corresponding elevations above the sea, falls per mile, width between banks, least low-water depth on bars, range between high and low water, area of cross-section, and remarks. From these last alone we have prepared the following table for the readers of the Review, because it offers so interesting an exhibit of the dimensions of the main Mississippi, and of the relative functions of the chief tributaries. It shows that the Ohio, with much less than half the area of basin drained by the Missouri, contributes notwithstanding nearly one third more water to the volume of the Mississippi, — a striking illustration that neither the size of its basin, nor the length of its course upon the map, is any criterion of the hydrographic importance of a tributary stream.

| | Area of Basin in Square Miles. | Downfall of Rain in Inches. | Ratio betw'n Downfall and Drainage. | Mean Dischar. per Second in Cubic Feet. |
|---|---|---|---|---|
| Ohio River, . . . . . | 214,000 | 41.5 | 0.24 | 158,000 |
| Upper Mississippi River, . | 169,000 | 35.2 | 0.24 | 105,000 |
| Missouri River, . . . . | 518,000 | 20.9 | 0.15 | 120,000 |
| Arkansas River, . . . . | 189,000 | 29.3 | 0.15 | 63,000 |
| Red River, . . . . . | 97,000 | 39.0 | 0.20 | 57,000 |
| Main Mississippi River, . | 1,244,000 | 30.4 | 0.25 | 675,000 |

Chapter II. treats of the Mississippi River below the junction with the Missouri. It describes the physical features of the river, and we shall presently draw largely upon it. This chapter is perhaps the most popularly interesting of all in the book. At its end the reader is fully possessed of knowledge of all the physical features of the river and its valley, and of all the conditions of the problem of protection against inundation.

Chapter III. describes the state of the science of hydraulics as applied to rivers, giving an outline of the history of the science, a complete chronological list of all the works on it,

and a *résumé* of their contents. It sets forth all that was previously known about river hydraulics, showing it to be a mass of theories destitute of the fixed essentials of an exact science.

Chapter IV. goes on to show how facts were collected, measurements made, and results computed. The measurements were comparatively simple, yet sagaciously planned to make measurement do everything possible for it to accomplish, and their amount and labor will be referred to hereafter. The calculations were exceedingly complicated and difficult, and therefore, in the language of the Report, "to guard against any cavillings which may be directed against a process so long and intricate," all the data necessary to recompute the results are preserved in the Appendices. We venture to suggest, however, that it will be long before any one will undertake so Herculean a task.

Chapter V. takes up these facts, uses them, and gives a new system of river-hydraulics more thorough and full than has ever before been attempted. It is, indeed, a treatise which might well be republished directly from the Report as a text-book. Having been previously furnished with the data, we are now supplied in this chapter with the rules and principles of science required for the solution of the great problem of the Mississippi Valley.

Chapter VI. enters upon this work, introducing the question of protection against the floods in its double aspect, — first, how far the maximum discharge will be increased by reclaiming the swamp lands in the basin; and, secondly, how much the level of water surface will be thereby raised. It tests the various plans of protection by the touchstone thus furnished, and states the conclusions in the form of recommendations. Thus the entire subject of river floods is finished.

Chapter VII. examines the Delta, applies the new process of analysis to the complicated problem presented by the Bayou La Fourche, and finally gives a well-considered and ingenious theory for the origin and growth of the Mississippi.

Chapter VIII. takes up the subject of the river-mouths and the bars; advances an entirely new theory of their origin and formation, based upon a set of observations similar in extent and thoroughness to those already mentioned; and, finally, develops plans for deepening them.

The volume ends with Appendices, containing the data on which the Report is based, and many maps and diagrams of curves, which beautifully illustrate the subject.

We now propose to notice a few of the many topics discussed at length in the Report. This is an undertaking of the greater difficulty, from the very compact style in which the Report is written, and the close compression of the matter. Even in a note there is often given information which might have been readily developed into a valuable chapter. It seems to have been the design of the authors to omit every superfluous word, and, above all things, to avoid that magniloquent rhetoric which has heretofore veiled so much ignorance in the writings about the Mississippi. It is with diffidence, therefore, that we now undertake to condense still further a treatise on hydraulics which has already passed through a literary hydraulic press.

In describing the river, we shall speak successively of the banks; the geology of the bed; the slope of the water surface; the cross-section of the river; the drainage of the basin, with the downfall of rain there; the sediment and the matter held in suspension by the water; the temperature of the air and water; the levees now existing; and, lastly, the great floods.

From Cape Girardeau to the Gulf, the river flows, as already remarked, through an alluvial region which is, for the most part, below the level of the floods. Columbus, 21 miles below Cairo, holds the first high land below the Ohio, — a bluff 200 feet above the river at high water. At this point, the banks are only 2,240 feet apart, and Columbus is therefore a place of great military command over the navigation of the river. The bluffs at Hickman are similar, but less important; and the next high land is the range of Chickasaw bluffs, four in number. Fulton occupies the first, Randolph the second, and the great city of Memphis the fourth. They are about 150 feet above the high-water level. At Memphis the river is 3,360 feet wide. Memphis is 225 miles below Cairo; and, as none of the intermediate bluffs are much settled, or capable of being easily provisioned even if fortified, the evacuation of Columbus will practically open the river to this point.

Crowley's Ridge, near Helena, about 65 miles below Memphis, is the last land on the right bank of the river above overflow. There is therefore required from this point one continuous line of levees to the mouth of the river, a distance of 806 miles. At Vicksburg, about 300 miles below Helena, the Mississippi, here 2,660 feet in width, again approaches bluffs on the left bank, and for nearly 250 miles flows near high land, which is from 100 to 300 feet above the river level. Natchez bluff is 150 feet in height, and the river here is 4,540 feet wide. Below Baton Rouge, 245 miles from the Gulf, both banks are everywhere below the high-water level.

The banks liable to overflow between Cape Girardeau and the Gulf are composed of the sediment deposited by floods, and are unsurpassed in fertility. They are highest near the water, where the largest and grossest deposit is of course made. They slope off most rapidly within a mile from the river. The slope then decreases until the swamps are reached, which are seldom more than two or three miles from the river bed. The mean slope of the banks from the river is, in the first mile, 7 feet, though it varies in different localities from 3 to 13 feet. It is, of course, greatest where the river has longest remained unchanged; and it would seem possible for natural levees to be thus formed by natural accumulation, which might eventually confine the stream in such parts of the valley within its channel. This has actually happened on the Colorado of the West. Such banks, however, if they begin to cave, lose temporarily in elevation; and with levees artificially made, this loss is of course permanent. This natural form of the banks necessitates the construction of levees *as near to the river as consists with safety*, for the double object of reclaiming the most fertile land, and of reducing the height and consequent cost of the embankments to a minimum amount. With the present levees, the flood depth near the edge of the natural banks is from 1 to 15 feet, giving an average depth from Cape Girardeau to the Gulf of about 4 feet.

The geology of the bed next claims attention. A knowledge of the true character of the bed was of the highest importance, and had never before been experimentally determined. On it

depended many practical questions, connected with the restraint of the floods. Great and successful efforts were therefore made to acquire it.

The channel of the river has heretofore always been assumed to be one excavated by itself through its own alluvion, and the whole alluvial region has been supposed to have been formed by deposits from the river during the present geological epoch. The plane of the Delta Survey forbade the admission of such an assumption without evidence, involving, as it did, the entire question of an unstable bed. The popular theory was therefore tested by careful soundings, with prepared leads, for 1,060 miles, from the mouth of the Ohio to Fort St. Philip, which is only 37 miles from the Gulf. These soundings and the examinations showed, — First, that immense beds of pure silicious sand and fine gravel, entirely free from mud and sediment, exist in various places, and grow finer as the Gulf is approached. They are found, in short, wherever the current flows too swiftly to deposit sediment, and yet not strongly enough to wash the sand away. Secondly, that where the current becomes dead, opposite caving bends and the like, the sediment is deposited in gently sloping, sandy mud banks, called willow battures, or, if on an island, tow-heads, from the growth of willows on them. This process of land formation merely puts a limit to the widening of the river in such places, but does not affect the nature of the true bottom. Thirdly, that *the true bottom*, on which rest the moving sand-banks and the willow battures, *is composed, from the mouth of the Ohio at least as far as Fort St. Philip, of one single homogeneous substance, a hard blue or drab-colored clay.* This clay is quite different from any deposit now made by the river. As long as it remains wet, it seems nearly insoluble, and is very tenacious, resisting for years the strong current of the Mississippi. This clay does not often show itself above the low-water mark in the channel between the Ohio and Red Rivers. Below Red River it crops out in many places, and is generally distributed throughout the Delta.

The facts ascertained about this clay are of extreme value, for they prove, either that it is an alluvial deposit, or else that the thickness of the alluvial stratum of the entire valley has

been greatly overestimated, and that the river is now flowing through a channel which belongs to a geological period antecedent to the present epoch. The age of this peculiar blue clay is highly important to be ascertained, and the following facts are some of those which tend to reveal it.

1. It greatly differs from any deposit now made by the river.

2. It underlies, below the sand stratum, the whole Yazoo bottom.

3. In the bluff at Vicksburg, it underlies the stratum which contains marine shells; that stratum which both Sir Charles Lyell and Dr. Harper pronounced to be eocene tertiary, the oldest tertiary stratum. Beyond question it also underlies other river bluffs also, but no examination was made for it at low water, when alone it would be visible.

4. It underlies New Orleans in strata, which alternate with sand and marine shells, for at least six hundred and thirty feet, as proved by the Artesian well there, which was carried to that depth before it was abandoned. The geological ages of the strata pierced are not well ascertained, but it is evident that none below the depth of forty-one feet from the surface, or, what is the same thing, thirty-seven feet beneath the level of the Gulf, were deposited by the river in its present state. The same age must be conceded for the channel of the Mississippi; for its clay is identical with the very lowest stratum pierced by the well.

5. It crops out under sandstone, twenty-four feet below the level of the Gulf, on the coast of Texas.

These are only some of the facts from which is drawn the inference that the bed of the Mississippi is not formed by recent deposit from its waters. Whatever may be the precise age of this clay, the facts certainly establish that its formation was long anterior to the present geological epoch. The correctness of this conclusion is almost demonstrated also by the form of the cross-section of the river. Were the bottom composed of alluvion, it would be comparatively smooth. It is really, on the contrary, exceedingly rough, full of blue-clay ridges and lumps, some of them many feet in height. The whirls which cover the surface also attest the great irregular-

ity of the bottom, its non-alluvial character, and therefore its great antiquity.

The important bearings of this discovery may be stated as follows. The bed of the Mississippi is not made up of river deposit, accumulated by the stream in its course. The channel has not been worn by water through river mud, and is not shifting constantly, as such channels always do, and making it impossible to predict its position even a few years hence. It is, on the contrary, a vast natural canal, cut through a bed of hard, tenacious, insoluble blue clay; with a clay bottom, and walls of alternate layers of clay and pure white sand up to the level of low water. It is an enormous conduit, provided by nature to drain the valley, and nearly as fixed in its general course as if it were scooped out of rock. Into it pours the whole waste of the broad water-shed between the Rocky Mountains and the Alleghany range. The stately river, receiving what the numberless streams of its valley constantly discharge into it, bears along the entire mass of sediment which discolors its water, down into the Gulf, and there slowly builds up new land with the *débris*, but retains nothing for itself except what the floods leave upon the banks. On account of this great difference between the alluvial deposits and the channel of the river, and of the fact that the water is undercharged with sediment, — another great discovery to which we shall presently allude, — we are authorized to believe that the strength of the current will keep the channel always clear; and that, until the laws of nature change, there is no danger of any filling up of the bed by artificially reducing the flood discharge.

The banks of the Mississippi, however, although the *general* channel is thus sharply defined, are nevertheless, within certain limits, unstable and perpetually changing. The river is constantly undermining its banks in the bends, and forming new land on points throughout the whole alluvial region. The cause of this phenomenon is found in the strata of nearly pure sand which alternate with the clay through the entire valley. A change in direction of the force of the current washes away the layer of sand, and, when the river falls, the bank above soon caves from want of support. These sand strata are often below the mark of low water, a circumstance which greatly

enhances the difficulty of protection. By this caving, "cut-offs" are also caused. They occur where two bends of the river approach each other, until the river cuts off the narrow neck of land and opens a new channel, which, from its greater slope, soon becomes the main channel. Since 1800 six cut-offs of this description are known to have occurred, shortening the river by about eighty miles; and many more are now imminent. The same action also produces upon the islands results quite as strongly marked. Under its influence, islands are, in many places, constantly forming, or connecting themselves with the main land, or disappearing. Fortunately, however, for the success of artificial protection from floods, this action of the river is now progressing much more rapidly in the upper part of the valley than in the lower, where it has to appearance comparatively ceased.

The next physical feature of the river to be noticed is the slope of the water surface. This diminishes as we draw near the Gulf, which exerts too important an influence upon it to be overlooked. From Natchez to the mouth, the oscillations caused by variations in discharge gradually diminish, while from that point the influence of Gulf changes grows more and more apparent. The mean level of the Gulf is obviously the datum-plane to which to refer the surface of the river. The effects of tidal oscillation, in low stages of the river, are probably felt even at Red River Landing, which is 316 miles from the mouth; while at Baton Rouge, 245 miles from the mouth, there is a mean tide of *two tenths* of a foot, though the mean tide in the Gulf is only *one foot and two tenths*. This delicate variation, arising from so slight a tidal wave in the Gulf, 245 miles distant, and affecting the slope of so large a river, whose current, it must be borne in mind, nowhere at any time sets up stream, is an interesting proof of the quick perception of foreign influence, and the strict obedience to the minutest force, which are exhibited by river phenomena.

Prevailing winds also produce marked alterations of level in the Gulf, and consequently in the river. In January, 1852, the mean level of the Gulf was 1.5 feet lower than in September previous, and a foot lower than the mean monthly level of several other months of the year. If the change of

the Gulf level is of long duration, this produces an oscillation in the river slope. Such an oscillation, happening between November 10 and 18, 1851, of 2 feet in the Gulf, was felt at New Carthage, 460 miles up the river; and at the mouth of Red River, 316 miles from the Gulf, it was 1.5 feet. Hurricanes produce still greater effects, which would be disastrous in the extreme, did they not occur from causes connected with those which occasion low water in the river.

The range of level between high and low water in the Mississippi averages about forty-five feet, until it comes within the influence of the Gulf. It then gradually diminishes to zero. At Natchez, where the variation in level is greatest, it ranges over fifty feet. Most of our readers will probably be surprised to learn that the oscillations of the Mississippi equal in range, even if they do not surpass, the famous tides in the Bay of Fundy. They are however very gradual, never exceeding in twenty-four hours a change of about three feet, and averaging only a few inches.

The value of land in the Mississippi valley depends so much upon its relative level that most cities there have a "bench-mark," a fixed and known point from which altitude is specified in deeds and conveyances. At St. Louis, the bench-mark, called "the St. Louis Directrix," which is the top of the curb-stone at the corner of Market Street and the levee, is 405 feet above the level of the Gulf, and 34 feet above the low-water river-mark of 1860. Yet in the flood of 1858, this was three feet under water. St. Louis is 1,253 miles from the Head of the Passes, the point where the mouths of the river diverge, 17 miles above the Gulf. The mean slope, therefore, of the Mississippi from St. Louis to the Gulf, is only 0.31 of a foot, a little less than four inches in a mile, a slope certainly not great, and yet enough to give an observed mean flood-velocity of about six feet in a second, or a little more than four miles an hour.

A series of very extensive gauge-rod observations has determined the general laws of the stages of the river. They are beautifully exhibited in the Report by a plate of curves, representing the annual changes of the level through observed periods. These curves show, —

1. That the mean annual succession of stages differs little from the Ohio to the Gulf.

2. That there are three great rises, — in winter, spring, and summer, respectively.

3. That the river annually is highest at the end of March, then subsides, until, swelled by the early summer rains, it rises in June; then rapidly falls, until it attains its lowest point in October; and then again rises, more rapidly than at any other season, until January and February, when it is checked by the freezing of its tributaries until the commencement of the March rise.

4. That the river is above the mid-stage for seven months, from the latter part of December to the latter part of July, and below it for the rest of the year.

These are only a few of the interesting results indicated at once to the eye by these curves.

By cross-sections of the river, the mean high-water areas, the mean mid-channel depths, and the mean high-water widths, have been ascertained with approximate correctness. As the contributions of the great tributaries affect the dimensions of the main river, the results are computed for four divisions of the valley, as shown in the following table, which we copy from the Report: —

*Mean Dimensions of Cross-Sections of the Mississippi River.*

| Locality. | High Water. | | | Low Water. | | |
|---|---|---|---|---|---|---|
| | Area. Sq. Feet. | Width Feet. | Maxm. Depth. Feet. | Area. Sq. Feet. | Width Feet. | Maxm. Depth. Feet. |
| Ohio River to Arkansas River, | 191,000 | 4,470 | 87 | 45,000 | 3,400 | 49 |
| Arkansas River to Red River, | 199,000 | 4,080 | 96 | 54,000 | 3,060 | 56 |
| Red River to Bayou La Fourche, | 200,000 | 3,000 | 113 | 100,000 | 2,750 | 78 |
| Bayou La Fourche to Head of Passes, | 199,000 | 2,470 | 129 | 163,000 | 2,250 | 114 |

The drainage of the river basin cannot be comprehended without understanding its relation to the fall of rain there. To ascertain with precision the fall of rain throughout the Mississippi valley demands much more labor than has yet been expended upon the subject. All the information, however, which has been collected, including three years more of

observations than have been heretofore accessible, has been collated and tabulated into the only satisfactory rain-chart ever made for the valley. Previous charts undertook to delineate the exact extent of each rain district. This map, by showing precisely how much is really known, throws discredit upon such extensive generalizations. Although this is frankly acknowledged to be incomplete, it claims to be an approximation sufficiently exact for the purposes of the Report. The relation of downfall to drainage has never been determined so accurately for any large river before; while for no river, and not even for any small stream, has the discharge ever been ascertained with even an approach to the fulness and precision with which it has now been computed for the Mississippi. This computation has heretofore been impossible, for the double want of wide observation, and of knowledge of the true law which governs the flow of water in natural channels. It is an honor to American science, that, owning the finest watercourse in the world, it has proved itself competent to appreciate and measure its magnificent possession.

The area of the basin of the entire Mississippi valley is 1,256,050 square miles. The mean yearly amount of rain therein is 84,400,000,000,000 cubic feet. The annual discharge of the Mississippi is 19,400,000,000,000 cubic feet. The river, therefore, drains off about one quarter of the entire downfall, — an amount considerably larger than has been until now supposed. There are, however, three distinct classes of years well defined, — the extreme low-water years, when the discharge is only 11 trillions of cubic feet; the ordinary years, when it is 19½ trillions of cubic feet; and the great flood years, when it is 27 trillions of cubic feet. These differences imply corresponding variations in the amount of yearly rain, and perhaps spring from the same causes which occasion the secular oscillations of the great Northern lakes.

The observations of many years, without being absolutely decisive, go to show that the cultivation of the valley since 1819 has produced no appreciable effect on the discharge of the river.

It was necessary for the Survey to ascertain the amount of sediment contained in Mississippi water, and liable to deposi-

tion. A grand argument urged against the outlet system of protection was, that the water was charged with sediment to its utmost capacity of suspension; and that, if any water were drawn off by outlets, the velocity of the river would thus be diminished, and a deposit would consequently occur in the channel below. This assumption was put to a rigorous test, which resulted in the great discovery that *the water of the Mississippi is undercharged with sediment;* and that any apprehension of danger from outlets on the score of deposition of sediment is wholly groundless. Samples of water were daily obtained at three different stations, at different depths, for fifty-two weeks, and, at one station, daily during the whole of a second year, and also at other times and places. Careful analysis of these specimens established the truth above stated, and also disclosed the fact that the sediment in Mississippi water is, during long periods of time, by weight, in the ratio to the water of 1 : 1500; and by bulk, of 1 : 2900. Assuming this result to be correct, and the average annual discharge of water to be accurately estimated at 19½ trillions of cubic feet, it follows that 812½ billions of pounds of sedimentary matter, constituting a square mile of deposit 241 feet deep, are now annually transported in a state of suspension into the Gulf. When the swamps are reclaimed, the earthy matter now deposited on them will be carried along into the Gulf. When, therefore, the four great swamps are thus protected, there will be an addition equal to one eighteenth of the matter previously transported. The amount, therefore, then borne into the Gulf will be annually 858 billions of pounds, constituting one square mile of deposit 254 feet in height. But, besides the matter in suspension in the water, a vast amount is also rolled along the bed of the stream into the Gulf. Of this, no exact measurement can be made; but, from the yearly growth of the bars at the mouths, it appears to be annually about 750 millions of cubic feet, which would cover a square mile 27 feet deep. The total yearly contributions, therefore, of the river to the Gulf amount now to a prism with a base of one square mile, and a height of 268 feet; and when the levees are perfected, they will amount to a prism of the same base, having a height of 281 feet.

The mean temperature of air and water was calculated upon a continuous observation of two years at Carrollton. The water was found to give a mean annual temperature of about 64° Fahrenheit, while the air gives a mean 4.5° higher. The water is warmest near the end of August, and coldest near the end of January; and the difference between these extremes of mean weekly temperature is about 46°. The corresponding air difference is only about 40°, showing that the water reaches greater extremes of both heat and cold than the air, and that the changes in the water are more uniform, more gradual, and later than in the air. These results, singular and interesting as they are in a scientific view, are also among the many new contributions to science made by this Report. A general deduction from the observations shows that the mean temperature of the water increases 3° in travelling the 750 miles of river channel between Memphis and Carrollton, while the corresponding air difference is about 8°.

The fact that the largest and most fertile portion of the natural banks of the river is for 1,000 miles below the level of the floods, has forced the settler to make it his first object to protect himself against them. The levee system is the only one which has ever extensively prevailed in practice; but that it has thus far failed to accomplish its design in any great degree, the record of the great floods plainly shows. This record is complete for the present century, having been regularly, though loosely, kept from 1798 to the date of the survey. To convey an adequate idea of their terribly destructive character, we propose to give a short account of the June rise of the flood of 1858, one of the largest on record, and the one adopted as a standard by the Report.

The Ohio and Mississippi were in full flood, and the torrent which swept into the head of the alluvial region, by the bed and through the swamps, above Columbus, was of tremendous volume. For seven days it poured down 1,475,000 cubic feet per second. It inundated Cairo. It washed away miles of the St. Francis levees, and poured over into the bottom lands, already deeply overflowed from the April rise. So small was the actual reservoir capacity of that region, that the six great bayous and the St. Francis River channel were not sufficient

to give water-way to the flood, draining back into the Mississippi; and so, for miles above Stirling, it poured over the banks themselves, washing away the remains of the levee into the river. After this, rolling like a great wave through the St. Francis swamp, it collected again at Helena, and burst forth with renewed fury over the lower country down into the White River swamps, and through the Yazoo and Tensas bottoms. The Yazoo basin, though returning to the Mississippi more than 125,000 cubic feet every second during the whole rise, was deeply inundated. Below Red River Landing the levees fortunately remained unbroken except at two points; but it was owing solely to the fact that the upland tributaries below the Ohio were all low during this great rise, that the whole lower country escaped general overflow.

Such are the gigantic floods against which protection is sought. To estimate the value of property destroyed by them is not possible. An approximate idea, however, may be formed from the fact, that in the Tensas bottom, which was only one of those flooded by the rise just described, it was calculated that the loss caused by the inundation of 1850 exceeded $5,000,000. So enormous is the devastation from this cause, that it is probable that the property destroyed by three or four floods is worth enough fully to pay for the protection of the whole valley.

We have now conveyed to the reader, we trust, a correct idea of the conditions of the problem to be solved. But at the beginning of the survey, the solution was impossible, in the then existing condition of hydraulic science. The first work to be done, therefore, was to collect data for the double purpose of establishing the science and of determining the facts upon which the solution of the problem of protection depends. A long account of the details of the various field operations, conducted by the Survey with a view to gauging the Mississippi, its tributaries, and its crevasses, is given in the Report. The thoroughness and extent of this work strike the reader with astonishment, and command confidence in results, based upon observation so wide. By methods which, so exquisitely do they display the minute and careful detail of the Survey, we had marked for quotation, but must omit for want of room,

the daily discharge was measured for one year at New Orleans, and for another year both at Columbus and at Vicksburg. The number of floats daily noted was on an average about seventy-five, and called for the most persevering watchfulness on the part of the observers.

But great as was the labor in the field, it was trifling compared with that in the office. After accumulating a vast mass of facts and exact observations on the river, the next duty was to reduce and digest them. But owing to the state of science, this was more difficult than at first appears. To attempt to enumerate the various and complicated analyses detailed in the Report, would stretch this article beyond all reasonable bounds. As a single example of these computations, however, the method of deducing from the field measurements the discharge of the river *for a single day* will be described. It was necessary to plot the paths of all the floats; group them in the proper subdivisions; multiply the corresponding partial areas of cross-section, and take the sum of the results. As during a large part of the time the floats were necessarily observed at a uniform depth below the surface, — owing to the physical impossibility of observing floats enough to measure the velocity at all points of the cross-section, — this result needed to be corrected by multiplying it by the ratio between the velocity at that depth and the mean at all depths. But the law regulating this change in velocity at different depths was unknown. Theories on that subject were not only conflicting, but utterly contradictory. To determine, therefore, the true form of the curve of velocity at different depths, which virtually expresses the law governing the action of the force of cohesion between the particles of a fluid in motion, a most extended series of special measurements was made, and the results analyzed by an exceedingly intricate process, furnishing perhaps the best example anywhere to be found of the Bernouilli method of generalizing natural phenomena, a process so long and involved that it much exceeds in compass and extent Dubuat's celebrated deduction of his formula for mean velocity, hitherto regarded as affording one of the best examples of this method. Suffice it here to say, that the form of the curve, which is a parabola, — the changes produced by vari-

ations in depth and in the mean velocity of the river, — the effect even of the lawless winds themselves upon its delicate adjustments, — were all pertinaciously hunted down, and the desired ratio deduced. The intricate nature of this analysis may be inferred from the following resulting equation, which is the expression of the ratio between the mean velocity five feet beneath the surface, and the mean of the mean velocities in all vertical planes across the river. It is equation (12), on page 263 of the Report, with a slight substitution: —

$$\frac{Um}{U_5} = \frac{Um}{Um + \left(\frac{1}{3} + \frac{(0.317 + 0.06f)(10r - r^2) - 25}{r^2}\right)\left(\frac{1.69v}{(r+1.5)^{\frac{1}{2}}}\right)^{\frac{1}{2}}}$$

By such exact methods the daily discharge, throughout the alluvial region, of the river itself, of its principal tributaries, and of its crevasses, was, for the floods of 1851 and 1858, so determined, that the quantity of water which would have been added to the river had no crevasses occurred could be for any point exactly calculated. A comparative analysis of the other great floods finally decided what should be viewed as the increased volume at each point to be guarded against, supposing the river to be confined to its channel throughout the alluvial region.

The next question, how much this added volume of water would raise the surface of the river, led to still more complicated analyses of the relations existing between the slope, cross-section, and discharge of rivers; analyses which demonstrated how exceedingly erroneous were all previous formulæ and methods, but which were themselves perfectly successful. At every step of the process, the results were tested by exact measurements, and at all important points this was done repeatedly. The proof is so cumulative, that it is impossible to dispute it; but it is also so abstruse and extended, that, though it appears in table after table of the Report, it cannot be intelligibly set forth within the narrow limits of a review. One idea, however, is forced upon the mind in reading this part of the Report; namely, that the results, though very important for settling the problem under discussion, are not solely, nor even chiefly, important on this account. They have reconstructed the science of river hydraulics. A new and complete

system of formulæ is given, derived from actual experiment, which renders it unnecessary hereafter, as heretofore, to grope blindly for empirical rules. A pretty illustration of this is a valuable practical discovery evolved by these formulæ. It has long been a desideratum among hydraulic engineers to deduce a normal ratio between some single velocity and the mean velocity at all depths in the same vertical plane. Applying the new formulæ to the algebraic solution of this problem, they indicate that the ratio — hitherto overlooked — of the *mid-depth* velocity to the mean at all depths, is the most simple of all such ratios; in fact, very nearly constant. The very experiments of European engineers, from which they failed to deduce such a ratio for practical use, confirm this discovery in the most complete manner, — a very beautiful example of the power of mathematical analysis, when applied to natural phenomena. But we must not dwell any longer upon these purely scientific merits of the Report; and we cannot leave the topic better than by quoting the modest words with which the authors themselves conclude this portion of their work, after giving a table of tests for their formulæ.

"This table furnishes the crowning proof of the exactness of the new formulæ as applied to water moving in natural channels. Joined to the two preceding tests, it establishes beyond reasonable doubt, first, that the same laws govern the flow of water in the largest rivers, and in the smallest streams; second, that the new formulæ truly express those laws; and, third, that the formulæ heretofore proposed do not express them even approximately.

"The connection of the subject with such vast interests as those involved in the protection of the alluvial region of the Mississippi from inundation, has exacted the utmost care in its treatment. The measurements have been made with the greatest exactitude; experiment has been multiplied; the most rigid scrutiny has been exercised in the application of mechanical principles and algebraic analysis to the phenomena, and the newly developed laws are thus accompanied by a weight of evidence that establishes their truth. The formulæ by which they are expressed are therefore entitled to the confidence of practical men."

We now hasten to consider the efficiency of the various plans of protection against inundation, as developed by the

operations of the Survey. It falls to the lot of few men, at one and the same time, to create a new science, and then to apply it to a problem of such magnitude. This double success, however, has been achieved by the elaborate investigation which has at last settled the question of river protection in all its branches.

"Three distinct systems," says the Report, "have been proposed for the protection of the bottom lands against overflow. These are: — First, to modify the actual relations existing between the accelerating and retarding forces in the channel, in such a manner as to enable the former to carry off the surplus flood-water without so great a rise in the surface as they now require. To this system belong cut-offs. Second, to reduce the maximum discharge of the river. To this system belong diversion of tributaries, artificial reservoirs, and artificial outlets. Third, to confine the water to the channel, and allow it to regulate its own discharge. To this system belong levees, or artificial embankments. Each of these systems has its advantages and its disadvantages. Before deciding, then, upon the best practical system of protection from the floods of the Mississippi, each system must be examined in respect to its feasibility, its dangers, and its cost, as applied to that river."

Each of these systems is thoroughly examined in the Report, and the conclusions arrived at have all the force of demonstration. Without attempting to give the arguments, we can state here only the substance of those conclusions; and we shall comment upon the different plans in the order in which they are mentioned in the above quotation.

Cut-offs, as proposed by hydraulic writers, are not applicable to large rivers like the Mississippi. Their effects, when applied to a single bend of that river, have been accurately measured upon the Red River cut-off and the Raccourci cut-off, and also twice calculated analytically. The final result proves indisputably that they are absolutely pernicious, because they reduce the height above the cut-off only by increasing it below; and thus save one part of the valley at the expense of another part. The true effect of cut-offs on a river has long been disputed, but this conclusion is supported by such evidence that it puts the question forever at rest.

Diverting tributaries have been proposed, in order to protect the lower valley by diminishing the discharge in floods. The

general principle on which the plan rests is unquestionably sound; but the question is, whether the practical application of this system here would produce results commensurate with the inevitable cost. The Report answers this question in the negative, and shows the project of diverting tributaries to be utterly impracticable for the Mississippi, because it would be so enormously costly.

The plan of reservoirs is to hold back, in the flood season, by systems of artificial lakes upon the tributaries, a volume of water requisite to reduce the flood level within the river banks, and to let it forth during the low-water season so as to improve navigation; and thus to secure a double advantage. This plan, admirable in theory, is of ancient origin, and has been much discussed by European engineers. Such reservoirs were actually constructed, as early as 1711, upon the Loire, and have since been advocated for their double benefit by Lombardini, Vallée, and other most eminent hydraulic engineers. One of the advantages claimed for this system, the improvement of low-water navigation, was foreign to the purpose of the survey, and has never been sufficiently investigated for the Mississippi to allow any decisive opinion to be formed upon it. The second, that of the effect of reservoirs upon restraining floods, has received careful attention.

This system is, obviously, not applicable to all rivers. The valley, for instance, must be of such form that dams of reasonable dimensions may be built, which shall keep back the identical water which otherwise causes the flood. It is, in brief, essential, "that certain important tributaries, which drain relatively large portions of the basin, shall debouch near their mouths from narrow gorges where dams can be constructed at reasonable cost, and where artificial lakes can be formed without injury to other interests." These conditions, however, are the very reverse of those existing in the Lower Mississippi. The basin there is a vast plain. Its main tributaries are navigable streams, great arteries of commerce, far too valuable to be interrupted by reservoirs, even if it were possible. But to test effectually this plan it is necessary merely to consider the quantity of water which must have been held back in order to have protected the alluvial region from the June

rise of 1858, which we have just described, and which may be regarded as a standard flood. During thirty-six days, the amount of water passing the latitude of Columbus exceeded by 648,172,800,000 cubic feet the maximum amount consistent with the safety of the alluvial region. Reservoirs large enough to keep back, in a single month, *six hundred billions* of cubic feet of water, must therefore have existed above the mouth of the Ohio in order to have protected the lower valley from that great flood. Where can such reservoirs be placed? The nature of the Upper Mississippi and Missouri basins is such as to make the reservoir system totally inapplicable to them. They must, then, be placed somewhere in the Ohio basin. Its northern slope, however, is too level. Its southern slope furnishes the only advantageous sites. But here the month's downfall of rain contributed to the June rise of 1858, as accurately determined by the Smithsonian observers, was only 4.5 inches; an amount which required, to be drained into reservoirs, an area of at least 90,000 square miles, *an area much larger than the whole region in question.* This result shows the reservoir system for restraining the floods of the Lower Mississippi to be a *physical impossibility.* Even if it were not so, the cost for protection against the June rise of 1858, according to the most moderate estimate, would be $215,000,000; and to provide against inundation from the lower tributaries also, would cost a large additional sum. Thus, without questioning the advantage of the reservoir system upon certain Western rivers for certain objects, the Report demonstrates that the idea of so securing economically the Mississippi Delta against inundation is "in the highest degree chimerical."

This system has been advocated for the Mississippi Valley chiefly by Mr. Charles Ellet, who was formerly employed by the government to investigate the subject of protection, and whose report has been somewhat circulated in this country and in Europe. This gentleman framed a formula from very limited observations, and solved the problem by it, arriving at the conclusion that the levee system was virtually impracticable, and that reservoirs afforded the true means of protecting the country. Although the Report of Captain Humphreys and Lieutenant Abbot is remarkable for its non-controversial

character, when we consider the large number of old theories it has demolished, it was evidently impossible to pass over without a complete refutation Mr. Ellet's work, contradicting as it did, in advance, the entire conclusions of their survey. It establishes, therefore, by actual measurements, that Mr. Ellet's formula is the worst formula ever proposed for its purpose; that his measurements from their paucity and hasty character led him into egregious errors of fact; and, finally, that his practical conclusions are totally wrong, particularly in regard to the reservoir system. The quiet way in which this task of criticism is performed in the Report is the only approach to dry humor in the book; and certainly stands in most striking contrast with the method lately adopted by the pictorial papers to refute a recent heresy of the same gentleman respecting the manner in which General McClellan ought to conduct the war.

The plan of outlets consists in reducing the level of the floods by drawing off the surplus water to the Gulf through other channels than that of the main river. The chief argument heretofore urged against it has been, that it will cause deposits in the channel by reducing the strength of the current, and will thus finally elevate, instead of depressing, the water level of the river, — a result illogically deduced from erroneous statements of facts respecting the Po. The operations of the Survey prove these arguments fallacious. They show that it is a mistake to suppose that outlets are disadvantageous to the river; that the inevitable conclusion both from theory and observed fact is, that, so far as the river is concerned, they are highly useful; but that, from the difficulty of disposing of the water, from their cost, from the unavoidable result of destroying the navigation of Lakes Pontchartrain and Borgne, and from the danger of changing the main channel of the river, they are inapplicable to the Mississippi. That this last consideration is a real danger is proved by the Rhine, the Po, and the Vistula, in each of which the main channel has been changed by diversion of the current through an outlet.

We now come to the plan of levees, the sole remaining system of protection from river floods, and the Recommendations, the fruit of all these extended investigations. "It has been

*demonstrated*," to use the words of the Report, "that no advantage can be derived either from diverting tributaries or constructing reservoirs, and that the plans of cut-offs, and of new or enlarged outlets to the Gulf, are too costly and too dangerous to be attempted." That of levees, however, subjected to a long and abstruse local analysis in the Report, is essentially simple, promptly repays investments, and may be relied on for protecting all the bottom-lands which are liable to inundation, from Cape Girardeau to the Gulf. The works will, it is true, be extensive and costly, and will require unanimity in action; but they will be effectual, for the conditions of permanency and success are now at last determined. We quote the following passage, the practical value of which will be fairly estimated in the Mississippi valley only. It is the short expression of the result of labors which, we may well congratulate our readers, will not have to be repeated. It contains the requisite heights to be given to the levees, down through the whole length of the valley, in order to *insure* the safety of the whole region. Our readers must, however, bear in mind, if they wish to ascertain the height of the top of the levee *above the ground* at any point, that the average depth during high water above the natural bank of the river in the flood of 1858 was about four feet, and hence that this number must, on an average, be added to the following numbers given in the Report.

"To secure this end [the protection of the alluvial region from inundation] in the most economical manner, the operations of this Survey indicate that levees should be constructed. Near the mouth of the Ohio, they should be made about 3 feet above the actual high-water level of 1858, which has been selected as the plane of reference, because more unvarying than the surface of the ground. The height above this level should be gradually increased to about 7 feet at Osceola. Thence to Helena, the latter height should be maintained. Thence to Island 71 the height should be gradually increased to 10 feet. Thence to the vicinity of Napoleon, it may be gradually reduced to 8 feet. Thence to Lake Providence, it must be gradually increased to 11 feet. Thence to the mouth of the Yazoo, it may be gradually reduced to about 6 feet, and should be thus maintained to Red River Landing. Between that locality and Baton Rouge, it

should be kept uniformly about 4 feet, and below Baton Rouge about 3 feet. If the water-mark of 1858 be unknown at any locality, it may be reduced to any well-determined local mark by the table in Chapter II. The above estimate is exclusive of settling, and allows about a foot for possible rise above the height necessary for restraining the flood of 1858.

"It should be remarked that these heights are based upon the supposition of *absolute security*, so far as its conditions can be ascertained. In building the levees, it may be more economical to incur certain risks of inundation, than to expend so large an amount at once in the construction of levees..... The data presented, and the principles so fully elaborated, in this Report, will render it easy for the engineers in charge of the work of construction to decide what degree of protection it is economical to secure. It should be remarked, however, that, below the upper limit of the influence of the Arkansas and White Rivers, it will be unsafe to make any material reduction in the above heights of the levees, computed with reference to restraining the flood of 1858."

As to the cross-section of the levees, the following proportions may generally be used: "The width at top equal to the height, — the outer slope 3 to 1, and the inner slope 2 to 1."

No precise estimates of the cost of perfecting the present levee system are practicable, until exact surveys are made through the whole alluvial region. An approximation, however, shows the cost not to be large, when it is compared with the size of the country, and the magnitude of the interests involved. The steps in making this approximation we cannot follow in detail. It suffices to say that, to perfect the present system of levees to the full system which the valley demands, will cost about $17,000,000. If there were no levees in existence, it would cost about $26,000,000. The immense difference between $9,000,000, the intrinsic value of the existing levees, and the absolute cost of building the same, including the value of the insufficient levees destroyed and of the crops consequently lost, is a dead loss due to ignorance of the true principles of river protection, and to want of concert in construction. Were it possible to estimate this loss, it would teach an instructive lesson upon the value of union, and the need of a central government to devise, control, and execute such plans of internal improvement.

It is interesting to compare with the sum required to perfect the levees, the sum which represents the annual value of the land which will be thus reclaimed. The area of reclaimable land from Cape Girardeau to Red River is 19,450 square miles. It is safe to assume that one half of this area will become, when reclaimed, available for cultivation, with a value of not less than $25 an acre. That area, therefore, will be worth $160,000,000. Below Red River there are not less than 1,000,000 acres of alluvial land under cultivation, worth $100 an acre. This price, and it is not an extravagant estimate, gives, for the value of the plantations in that section, $100,000,000. We have therefore a total of 7,400,000 acres of land, worth at least $260,000,000, which will be rendered securely cultivable by expending the relatively small sum of $17,000,000.

But while such is the value of the land, the value of its annual produce presents a still stronger argument for the building of levees. Assuming the number of acres protected and made available to be only 7,000,000, each acre on an average produces a bale of cotton, worth in ordinary times $45. We have, therefore, for the value of the annual product of the alluvial lands, rendered secure and certain by a complete levee system, the sum of $315,000,000. The extent of injury resulting from inundation has already been indicated in the case of the Tensas bottom, where the flood of 1850 alone caused a loss exceeding $5,000,000.

Having now drawn from the Report a condensed account of the physics and hydraulics of the river, and having briefly noticed the various plans of protection, we take our leave of the subject, and pass on to the concluding topics of the Report, the Delta proper, the mouths of the river, and the means of deepening them.

The Delta of the Mississippi begins at the head of the Bayou Atchafalaya, the point where the first branch is sent off to the Gulf. A bayou, strictly speaking, is a waste-weir, a stream which at the flood water of the river is an outlet; and at low water a tributary, and often a mere dry bed. It is usually widest at the river, and flows into a swamp, which, when surcharged by a flood, becomes a lake, to be drained only by retro-

flowage through the same channel into the river. The term, however, is now frequently, as in the present instance, used loosely of any stream connected with the river. The Delta is naturally divided into four districts; the Atchafalaya basin, the Terre bone district, the La Fourche district, and the Pontchartrain district. The soil of the first district is above the level of the Gulf, but about one half of the total area of the last three is composed of sea marsh. The whole region is entirely below the flood level of the river, and is covered with alluvial deposit. It contains several lakes and bayous, whose real nature is shown by an elaborate examination of Bayou La Fourche. This bayou was early protected by levees, begun near its source on the Mississippi and gradually extended down its course; and it has presented a puzzling scientific phenomenon. While, at the point of efflux from the river, the levees have not been raised, because the high-water level of the river was sensibly constant, the high-water level of the bayou below has been steadily on the rise, and recently, near Lockport, at the observed rapid rate of two feet during seven years. This continued elevation of the high-water level has necessitated a constant increase of the levee heights on the banks, to the amount of several feet during the last thirty years. This peculiar action of the bayou has been a well-known subject for scientific discussion, but, prior to the measurements of the Survey, has never been satisfactorily explained. They, however, have overturned the usual theory of a channel and point of efflux below the levees, gradually filling up by alluvial deposit, and furnished the clew which has led to the true explanation.

There is, and has been for ages, a natural diminution of the cross-section of the bayou as we approach the Gulf. The principles governing the flow of water, now developed in the Report and applied to this case, show that the natural channel was, before the building of any levees, insufficient to carry off the flood volume received by the bayou, and that nearly 8,000 cubic feet per second, two thirds of the total flood receipts of the bayou, must have formerly poured over the natural banks into the swamps. The levees have never yet been built high enough to correct this natural deficiency of cross-section, while

their gradual extension down the bayou has slowly added to the difficulty, by increasing the distance to the point of practical escape for the extra volume. The remedy is to build the levees to a height which will enlarge the cross-section sufficiently to give the requisite discharge without overflow. The proper heights for this purpose are given in the Report. Thus the Survey has, almost incidentally, settled a question which, though probably before unheard of by most of our readers, has been in the lower valley a standing subject of anxious debate for many years.

The geological history of the river was too interesting a problem to be dismissed without notice, and some very ingenious speculations about it are offered in the Report. These speculations are entitled to great weight, coming from observers so cautious and thorough, and who will hereafter be regarded as unquestionably the great authorities upon all questions connected with the Mississippi. The hypothesis that an arm of the Gulf once reached nearly to the mouth of the Ohio, and that the mouth of the Mississippi was there, is untenable. Many considerations, which cannot be mentioned here, lead to the belief that the mouth of the river was originally situated not far probably from Plaquemine; and that its prolongation into the Gulf has therefore been only 220 miles. The slope of the bottom of the Gulf, upon which this advance has been made, is capable of being approximately estimated. At New Orleans it is 40 feet below the surface of the Gulf. The deep-sea soundings of the Coast Survey show that, at the Head of the Passes, 95 miles below New Orleans, the old Gulf bottom is there 100 feet lower than the surface of the Gulf. From this point the slope must be still greater, since 11 miles from the bar of the Southwest Pass, or 28 miles from the Head of the Passes, the water is 900 feet deep. The present rate of progress at the mouth has been obtained by elaborate comparison of the progress of all the mouths, as shown by the maps of Captain Talcott, of the Corps of Engineers, U. S. A., made in 1838; and of the United States Coast Survey, prepared in 1851.

The yearly rates are as follows: —

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|---|---|
| Southwest Pass, . . . | 338 feet. |
| South Pass, . . . . | 280 feet. |
| Northeast and Southeast Passes | 130 feet. |
| Pass à l'Outre, . . . . | 302 feet. |
| Mean annual advance of the Passes, | 262 feet. |

The river is therefore building out into the Gulf new land at the mean rate of 262 feet every year. Assuming this mean annual growth as a basis for calculating the age of the Delta, we have the period of 4,400 years as the time required for the growth of the river 220 miles into the Gulf. It is interesting to learn that the Delta is therefore younger by several centuries than the world, a fact which, compared with some of the other stubborn calculations of geology, will probably delight those who advocate the chronology of history and its determination of the date of creation.

The practical importance of this slow yearly growth into the Gulf lies in its probable future effect upon the level of the river surface. By observation and calculation it is shown that an advance of the river 25 miles into the Gulf will be needed in order to raise the water level one foot at Fort St. Philip. At least five hundred years would be required to accomplish this result, even at the present rate of progress, while it is certain that the progress cannot be *more* rapid, and it is probable, from the great depth of the Gulf ten miles out, that it will be less rapid than at present. The protection of the entire river valley, it has already been shown, will add only one eighteenth to the sedimentary deposit of the river. The wild theories sometimes advanced, of the march of the southern coast into the Gulf, creating there new countries, and destroying existing coast lines and harbors, are therefore now shown to be not only without foundation, but also laughably absurd. Before that day arrives, Lord Macaulay's New-Zealander will have a chance to investigate to his heart's content the topography of the ruins of London, and then travel to America and prove that the mythical city of New Orleans never existed.

The geological character of the region below the Ohio leads to the necessary inference that in former epochs the Mississippi must have been a clear stream, like the St. Lawrence,

and not, as now, subject to floods. How was it transformed into a muddy river, liable to annual overflow? To this speculative inquiry an answer is proposed, setting forth a theory so ingenious and beautiful, and withal geologically so probable, that only the pressure of a more important practical subject reconciles us to leaving it, together with the topics of the possible separation of the branches from the river, and of the ancient geography of the Delta, without further notice. We now come to the last great operation of the Survey, the solution of the problem of deepening the mouths of the river.

Between Bayou La Fourche and Fort St. Philip, the Mississippi channel is nearly uniform. It has, at high-water level, a cross-section of 199,000 square feet, a width of 2,470 feet, and a depth of 129 feet in its deepest part. At low water these dimensions become respectively 163,000 square feet, 2,250 feet, and 114 feet. Twenty miles below Fort St. Philip, the river greatly changes, and acquires a width of 7,000 to 8,000 feet, a maximum depth of about 40 feet, and an area of cross-section of 250,000 square feet. It then divides into three branches, called respectively the Southwest Pass, the South Pass, and the Northeast Pass. The last sends off a branch called the Pass à l'Outre. A bar is formed at the mouth of each of these Passes, where the river meets the Gulf. During the low-water period the Mississippi discharges through the Passes about 300,000 cubic feet per second. Taking the Southwest Pass for an example, we find it to have a length of 17 miles; a mean width of 1,200 feet; a mean depth of 58.5 feet, and a maximum depth of 70 feet. These dimensions continue to a point 7.3 miles from the crest of the bar. Here the true mouth begins, having, on the crest of the bar, a width of 11,500 feet, a mean depth of 11.5 feet, and a cross-section of 132,000 square feet. Its inner slope falls off toward the river at the following mean rate per 1,000 feet: —

| | |
|---|---|
| From outer crest for 1,000 feet, nearly horizontal. | |
| In the next 3,000 feet, . . . | 0.5 foot. |
| In the next 17,000 feet, . . . | 1.0 foot. |
| In the next 5,000 feet, . . . | 2.0 feet. |
| In the next 9,000 feet, . . . . | 7.0 feet. |

The bottom then becomes horizontal. The outer slope is more abrupt, and we again quote a table to show its mean fall per 1,000 feet.

| | |
|---|---|
| From outer crest, for 1,000 feet, | 10 feet. |
| In the next 3,700 feet, | 20 feet. |
| In the next 38,300 feet, | 5 feet. |
| In the next 14,000 feet, | 43 feet. |

The Gulf is, therefore, 1,000 feet outside the bar, about 22 feet deep; and at 4,700 feet, about 100 feet deep; and then goes on deepening to upward of 1,000 feet. These particulars about the Southwest Pass are given in order to convey a distinct idea of the river bars, which are similar at the other mouths. During the flood period of about six months, the water in contact with the bar is fresh out to the outer crest, and moves seaward rapidly. Beyond the outer crest, salt water is found below this fresh-water stratum, moving seaward with a mean velocity of about half a foot per second, *but in a plane not parallel to that of the river water*, and diverging oftentimes from it as much as 20°. During the low-water period, of about four months, the water on the bar is always salt, sometimes moving inward, sometimes outward, and sometimes remaining at rest. At the outer crest of the bar, when the tides are greatest and are rising, there is an inward salt-water current *at the bottom*, which turns outward with the tide. During the transition between the flood and low-water periods, any of these conditions may be found to exist.

Facts enough are now given to enable us to comprehend a brief statement of the true theory of bar-formation. Its beauty must charm even the most casual reader. The fresh water, flowing into the Gulf from the river, is specifically lighter, and rises upon the salt water at an angle which is inversely as the strength of the current. The lifting power of the salt water from beneath widens the current, and spreads the fresh water over the salt. Consequently vertical eddies are produced at the dead angle, where the river water encounters and surmounts the Gulf water. This stoppage of the river current, where the fresh water rises and spreads over the salt water, leaves, of necessity, the mass of matter, previ-

ously rolled along the river bed by the force of the current, to become stationary at this dead angle of salt water. A deposit of this rolling matter is therefore formed at this point. *This deposit is the bar.* The bar is not formed, as has been generally supposed, from the matter held in suspension, and thus borne down so many miles by the river. The river water, *being undercharged with sediment*, bears its whole burden to a greater or less distance out into the Gulf. But it piles up into a bar at the mouth of the channel the slow-moving mass rolled down upon the bottom, while the river itself rises above its bed, and floats away over the salt water, until it finally loses its identity among the waves of the Gulf.

With the statement of this simple theory, we must omit the vast array of actually observed facts which prove it, the modifying influences which affect it, and the many phenomena which are now for the first time correctly interpreted by it. We must also leave untouched the investigation of the effect of the winds of the Gulf upon the shape of the Delta, the level of the Gulf, and the formation and shape of the bars; and hasten to the practical results of this part of the Report, the plans for increasing the water depth upon the bars, and the recommendations for improving navigation over them.

The bars at the mouths of the Mississippi, it is clear from the explanation given, are always forming. Consequently they must be steadily removed by artificial means. The appropriations by Congress, thus far three in number, have failed to accomplish any permanent good, for the reason that continued action, not spasmodic exertion, is requisite. Made at irregular intervals, their effects had time to disappear entirely in the intervening periods. In order effectually to deepen the water on the bars, a permanent sum must be appropriated, the interest of which shall suffice to pay for the required annual labor; or else an annual appropriation must be regularly made. If the money for this perpetual labor be annually provided in some way, — and the sum required will not be large, for it was found by actual experiment that upon the Southwest Pass a depth of 18 feet, when once attained, was maintained for one year at a cost of only $60,000, — the difficulty is substantially removed; for the principles which govern the problem

are now clearly ascertained by the development of the laws which really control the formation of bars. But to render clear the principle upon which the plans of deepening the water on the bars are based, requires additional explanation. It is found that the outer crest of the bar of the Southwest Pass advances yearly 338 feet into the Gulf, upon a width of 11,500 feet, and a depth equal to that of the Pass; while the erosive power of the current opens a channel at the front of the inner slope of the bar, 1,200 feet wide and 338 feet long, to the same mean depth. It is this equal advance of the crest of the bar and its inner foot slope that maintains the general permanence of depth upon the bar. Had the erosive power been double that found existing, the equal advance of the crest and foot of the bar would have been attained at a lower point of the inclined plane upon which the fresh water rises upon the salt water; and a greater depth of water upon the crest would have resulted. The aim, therefore, of all the plans is the same, — *to increase this erosive or excavating power of the current relatively to the depositing action.*

"This may be done," says the Report, "either by increasing the absolute velocity of the current over the bar, or by artificially aiding its action. To the first class of works belong jetties and the closure of lateral outlets; to the latter, stirring up the bottom by suitable machinery, blasting, dragging the material seaward, and dredging by buckets. These plans are all correct in theory, and the selection from them should be governed by economical considerations."

After examining these various plans in detail, the Report concludes with the following words: —

"The plan of stirring up the bottom by dragging harrows or scrapers over the bar is, no doubt, the most economical and the least objectionable. As already shown, during the low-water stage, and part of each transition stage, there is often dead water or a refluent current on the bar. The operation should therefore be limited to the flood stage, during which there is an outward current on the bar. . . . . .

"In conclusion, it should be stated, that no plan whatever will prove of any material benefit to navigation, unless a permanent fund be provided, untrammelled by restriction as to the mode of expenditure, from which a sufficient sum annually can be relied upon for the continuous

prosecution of the work, after as well as before the channel has been opened to the desired depth. The bar is constantly forming, and must therefore be constantly removed."

With these words the Report ends, and the task of the reviewer draws to its close. We learn from the publishers that only 1,250 copies of the book were printed before the types were distributed. So small an edition of so valuable a work must soon be exhausted, and can be reached by only a few of the persons who will wish to consult it. Indeed, it is expressly stated in the Annual Report of the Bureau of Topographical Engineers for the year 1861, that authority was obtained from the War Department to print only a limited number of copies, chiefly for distribution among the officers of the corps and others engaged in similar investigations. To make it as widely useful as possible, we understand that the extra copies have been largely distributed to libraries by the Bureau. While this course will make it in a measure accessible for special consultation by professional men, the smallness of the edition has rendered it the more necessary to review it carefully and at length in our pages.

The protection of the Mississippi valley from inundation, and the improvement of navigation by deepening its mouths, are two typical problems of internal improvement. No others are comparable with them in importance to that wide valley, which alone is larger than France, Spain, Italy, Germany, and Turkey, all taken together; and hardly to the entire nation. An annual produce of $315,000,000 depends upon the one. The foreign, water-borne commerce of the whole valley depends upon the other. Prior to these surveys, both those questions were subjects of angry and ignorant controversy. This book sheds upon both the light of day. The practical value of its conclusions to all the arts of peace in the whole Mississippi basin cannot be calculated; and we must remember that the Mississippi valley is the broad field which must inevitably become the seat of empire for the country. Such is the value of this book to the pecuniary interests of the nation.

But this is not all. In determining these practical questions it has laid the foundations of a new science; and it has done so in a manner which will prevent it from ever being

superseded, and which well entitle it to the motto borne upon the title-page, — the wise words of Franklin's letter to Abbé Souliave, — "I approve much more your method of philosophizing, which proceeds upon actual observation, makes a collection of facts, and concludes no farther than those facts will warrant." We doubt if any recent scientific work can present so long a list of brilliant discoveries and rich contributions to knowledge, which do honor to American science, and which are the legitimate results of a true method of philosophizing. The Delta Report cannot fail to give a wide reputation to the professional papers of the Corps of Topographical Engineers, a series of scientific papers of which this forms the fourth.

These investigations, so vast and so entirely successful, teach us three things. In the first place, they prove the value of that central government which makes out of thirty-four independent States one united nation, by showing how it solved in twelve years, both in their principles as well as their minutest details, the two great problems of river protection from overflow, and the deepening of water on the bars, — problems which had baffled all the efforts of four separate States for a century and a half. In the second place, they teach at every step of the process that it is almost a physical impossibility for the valley of the Mississippi ever to be politically divided. The power which rules at its source must hold the channel, the Delta, and the mouths. The current of the Mississippi is a bond, stronger than iron, to chain together all parts of its alluvial valley by the inevitable physical necessity of united effort for protection against the floods, and by the fact that such enormous lines of continuous embankment can be built and owned only by one nation. And, finally, these successful operations, so momentous in their consequences, exhibit strikingly the usefulness of our regular army in time of peace. For all these triumphs of theoretic science and practical hydraulic engineering we are indebted to the labors of two officers of the Topographical Engineers of our regular army.

It was the fashion some years ago, among politicians of a certain stamp, to underrate the value of our army, apparently because they did not themselves live upon an Indian frontier, and had forgotten the early history of their country. But

besides protecting our borders from Indian violence, a service always greatly under-estimated, the army could then, fortunately for us, be employed in conquering the forces of nature. We gained geographical knowledge of our country by the progress of detachments through regions which could be traversed in no other way. By it we made surveys which, while they opened a new land to civilization, gained the technical information required for the most stupendous engineering project known to the present age, the Pacific Railroad. Nor is the plan of that great work the only one of its kind for which we are indebted to officers of our army. We speak advisedly, when we repeat what, after special examination, was, in 1859, declared without contradiction in the United States Senate, to be true, — that no great work of public improvement in the United States had been conceived and executed without the aid of some member of this particular class. "They are the men, over this whole land, who have inaugurated the great works of civil engineering which have been successfully executed. They were the teachers." For instance, any one who will take the trouble to examine the facts will find that the railroad system now existing in the United States was initiated, the earlier surveys conducted, and the earlier works usually brought to completion, in the hands of military engineers. This is true in almost all the States, and it will be found that "their works of internal improvement were generally planned and conducted by those who either were at the time or had been military engineers." Nor is it in the department of engineering alone that American science is indebted to the army. To enumerate the modes in which it has advanced our knowledge of the geology, botany, and natural history of the country, would be to repeat what is familiar to special students of those subjects, though overlooked by the world at large. We can only add, that the Delta Report is the last, and certainly one of the most valuable, of the treasures which we owe to the labors of officers of the regular army.

These services, rendered by the officers of the army, illustrate well the theory of our government, which declares the ballot-box to be the true way to decide political disputes, and which uses its army, unlike those of Europe, not in suppressing pop-

ular freedom, but in enriching the nation by gaining bloodless victories over natural forces. All will welcome the day when we can return to this time-honored policy, and when our military engineers shall again descend the Mississippi with no hostile intent, but charged with the duty of completing the work of protection, by building that magnificent system of levees which the Delta Report projects.

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ART. XI. — *Considerations on some of the Elements and Conditions of Social Welfare and Human Progress. Being Academic and Occasional Discourses and other Papers.* By C. S. HENRY, D. D. New York: D. Appleton & Co. 1861. 12mo. pp. 415.

THIS volume is a contribution to that department of literature to which our habits and institutions have given a peculiar value; we mean those detached essays and discourses which are exacted from all of our prominent men of letters, as contributors to periodicals, or at the anniversary celebrations of literary societies. There is no way in which these men are brought so directly into contact with the public mind, or enabled to minister more effectively to the wants of young and active intellects. The reader welcomes his review or magazine as the visit of a friend, who comes at stated intervals to help him through a leisure hour, and to tell him what the world beyond his immediate circle is talking about and doing; and suspends, often, his judgment of books and events till he can compare it with that of a professional guide. The listener comes prepared to be pleased, and lends his ear under the unconscious influence of that gentle yet powerful excitement which human beings exercise upon one another when brought together by a common purpose and directing their attention to a common object. The speaker takes advantage of the attention which he knows he may count upon, to enforce some important truth, or awaken an interest in some favorite speculation. And the frequent recurrence of these occasions has

gradually built up a peculiar form of literature, in which some of our most brilliant minds have won their most brilliant triumphs.

In form and purpose these productions belong to the lighter literature of the day, their immediate object being to fill up a leisure hour agreeably, and their chief merit a graceful diction set off by a graceful delivery. Hence, out of the abundance which every twelvemonth brings forth, few are known beyond the circle for which they were produced, and fewer still outlive the year of their birth. Listened to with applause, printed by request, circulated gratuitously, they linger for a while on the centre-table, supply the materials for a few kind notices from friendly newspapers and reviews, and then slide into the cobwebbed corner, or drop noiselessly into the dusty receptacle in which the productions of rival wits, like the ashes of rival statesmen in Westminster Abbey, sleep peacefully side by side.

This, however, is but one view of the subject, and would give, if we were to stop here, a very erroneous impression of our estimate of these productions. Differing, as they necessarily do, in literary merit, and still more in merit of thought, they all have their origin in a common demand for intellectual entertainment, and thus afford, within certain limits, a standard for the appreciation of the intellect by which that demand is made. Men who undertake to please an audience will take care to select subjects within the comprehension of that audience. Men who endeavor to enforce a truth will make sure that their hearers already know enough about it to wish to know more. The successful speaker, like the successful writer, is always more or less in harmony with the minds of his contemporaries. If he teaches, it is from an elevation to which they can look up without straining their eyes. If he exhorts, it is by appealing to feelings and convictions which they hold in common with him. Even where he goes beyond them, opening new paths and letting in the remoter landscape through new vistas, he starts from some spot on which they can all stand together, and take in a common view. Thus, these occasional essays — emanating from a great variety of independent sources, coming, some from a law-office, with its

atmosphere of briefs and writs and affidavits, some from the doctor's office, and wrought painfully out with memories of sick-rooms and death-beds thrusting themselves in between the paragraphs, some from the clergyman's study, some from the teacher's overwrought brain, and a few from the retreats of elegant leisure — agree when taken collectively, as expressions of wants and feelings common to the whole of the extensive class for whose entertainment they are prepared.

For the historian, therefore, they possess a peculiar interest, — an interest altogether independent of their individual value, and founded solely upon their relation to the general mind. They are the language of one comprehensive class to another class still more comprehensive. They are the words of men who have gone out into the world and begun to prove it, to younger men who are still standing upon the threshold, with minds undecided and a path to choose. Hence these words must be about things in which they can all feel a common interest, — hopes which experience has chastened, aspirations which trial has curbed, thoughts that have grown into convictions, and opinions that have been tested by opposition. They are transcripts of the speaker's mind, and mirrors of the minds to which he speaks, — retrospects for the one, a future for the other, equally of momentous concern to both. In some we find the germs of important truths which may give their coloring to a whole life; in others, friendly warnings and earnest exhortations, which, falling upon the healthy mind at the right moment, stir it up to hopeful exertion. When the speaker looks around him upon familiar scenes, dimmed somewhat, and obscured by unfamiliar faces, he feels that one of the decisive rounds is already run, and that it is good for him to come back again to the starting-point, and renew his strength before he returns to the race. And the hearer listens with the feelings of one who is girding himself up for the contest and looking anxiously about him for the means and the chances of victory. The speaker of this year was the listener of five years ago. The listener of to-day may be called back in a few years to offer the fruits of his own experience to the listeners of a new generation. Thus from year to year the same round is run, the same solemnities repeated, and the

same order of thought and eloquence sent forth upon the beaten track, over which so large a portion of the productions of the human mind moves on in dusty procession from the printing-press to the trunk-makers.

It would be a curious study to divide the brief history of our literature into periods of ten or fifteen years, and, analyzing the literary discourses of each period, to compare the results both in substance and in form. We should find in it, if we are not very much mistaken, a striking illustration of that remarkable harmony which, even under the most unfavorable circumstances, is always found to exist between the world of thought and the world of action. It would be seen, that some ideas were expressed in words before they were expressed in deeds; that others were little else than the summing up of general facts; — that in some instances the impulse had been given; in some it had been received; but that in all, the general tone of thought as written out accorded wonderfully with the general tone of thought as acted out. Some new suggestion is made in education, and a dozen new schools spring up to test it. The writer, in looking thoughtfully about him for a subject, detects the indications of a great movement of the public mind; and, tracing it up to its source, attempts to point out its tendency and foretell its results. A succession of prosperous years gives a new impulse to industry and material growth. Thought seizes upon the favorable moment, and sets up her own claims to a share of the blessing.

It will be seen, too, that the characteristics of each period, although near the boundary-lines they seem to run into each other, are still clear and well defined. Woe to the unlucky orator who, living amidst his own thoughts in the seclusion of some country village, attempts to excite the enthusiasm of the audience of to-day by the same means that excited the audiences of ten years ago. The jest has grown stale, the illustrations are worn threadbare; his choicest rhetoric, which made his own veins tingle as he wrote, hardly keeps the eyes open. The world has been moving; and he who would speak to it and be heard must move with it, holding on manfully, as he moves, to every great truth, every sincere conviction, every tie which connects the present with the past, and helps

to preserve the identity of the species through all the transformations of the individual.

It has been said, that every man of imagination preserves through life a vivid recollection of his first sight of the stage. It may be said with equal truth, that every American who passes through college distinctly remembers, long after every text-book has been forgotten, the first oration before his "own" society. For our own part, we remember ours as well as if it were but of yesterday; and yet the orator and full half of those who shared the triumph of the day with us are in their graves. We called ourselves "Brothers," — "United Brothers," — and wore a little silver medal, with two clasped hands engraved upon it, as the emblem of our brotherhood. Our gathering-place was the library, a middle-sized, square room in the fourth story, where some twelve hundred volumes, not badly chosen, were ranged around the walls, in glass cases. In the very next room were our rivals, the Philermenians, with as many books and as good scholars as we, — formidable rivals, sometimes pushing us hard to the wall, especially through the first six months of the collegiate year, when new members were to be chosen, and the electioneering skill of the old hands to be tried upon innocent Freshmen. Out of our bitter feuds and manifold contentions another society had sprung up, under the happy auspices of Franklin's name, threatening for a while, in the exuberance of its youthful strength, to outstrip us both, but suddenly falling in the height of its exultation, as they who use their youthful strength too freely are apt to do.

The hardest fighting was over the choice of an orator for the day before Commencement. He was to be a graduate, of course, and custom required that he should be one of our own men. But pride, or vanity, — if you prefer to call it by that less flattering appellation, — required, also, that he should be a man of some note, one who had written a book, or made a speech, or done something to be talked about, — conditions not always fulfilled by the Brothers who had gone before us; and therefore we sometimes cast our nets outside of the circle, and tried to bring some distinguished stranger into the toils. It was in an effort of this kind that we caught our first

and last glimpse of the handwriting of Percival, whose luxuriant but moody genius stirred our young minds in those days with something of a Byronic power. But imperfectly stocked as he was in worldly wisdom, he was too wise to be caught in our snare, and while he accepted the proffered membership, he respectfully declined the invitation to become our poet.

But this year the "Brothers" had an orator, — not yet a great man, indeed, but, if college traditions could be trusted, destined to become so; and as we had voted *Ay* for the appointment of the committee that chose him, we felt that we had ourselves borne part in the selection. He was, in a fractional sense at least, our orator; and we rose on that eventful morning with a firm resolve to stand by the man of our choice. With what care we dressed for the solemn occasion! How often was the spotless silk ribbon put on and off, until the talismanic medal which it supported had been brought to its true position! You may be sure that we were the first at the library door, wondering not a little that on such a day anybody should be willing to be second. At length the room began to fill. New and strange faces crowded the familiar seats, — the graduates of other years, looking round them with mixed feelings upon a spot which they had once held as their own. Then came the call to order, and the forming of the procession, and the cheering notes of the band, and the solemn march, arm in arm, in extended line, down the steep hill, and along the wide street, and up the broad church-aisle, bright eyes looking on us the while, and not unlooked at in return; while, in the dizzy confusion, a glimpse of a broad forehead and of a waving gown was all that we saw of our orator, till he rose in the pulpit, and in calm, clear, impressive tones announced the subject of his discourse: "The different effects resulting to nations and to individuals from different forms of intellectual exertion, is a theme dignified in speculation and momentous in practice."

We never heard that voice again. But it was often heard where earnest men met to take counsel together about the great questions of the age, uttering words that, for an entire generation, sank into hundreds of responsive hearts, as on the afternoon of that unforgotten day they sank into ours. And

when, two years ago, we read that Horace Mann had lain down to his long sleep, on the threshold of a new labor of usefulness and love, recalling in his last moments the scene of his early triumphs, and asking that a grave might be made for him under the shadow of our *alma mater*, the remembrance of our first and only meeting came back to us in all its freshness, and we felt that we too had lost a benefactor and a friend.

But it is time that we entered upon the more immediate subject of our paper. The author of the volume before us first made himself generally known by a translation of Cousin's Examination of Locke, one of the most important parts of that eloquent course which completed the revolution in French philosophy begun by Royer-Collard in 1811. It is seldom that prose translation from a modern language gives literary position; but this was so well done, so faithful to the spirit and letter of the original, — a work as remarkable for vigor and elegance of style as for depth and accuracy of thought, — and the notes and comments were so judicious, and gave such evidence of a mind imbued with the principles of a pure and elevated philosophy, that it not only gave the translator immediate reputation, but was received as the harbinger of a brilliant and fruitful career. Thus known, he was called to pay the usual American tax for literary distinction, in anniversary addresses and occasional contributions to periodical literature, appearing only three times, we believe, as a professed author for the next twenty years; — first in a small collection of "Moral and Philosophical Essays"; * then in a translation of a French "Epitome of the History of Philosophy," † to which he added a valuable appendix, bringing the work down from Reid to Cousin and his disciples; and next in "Dr. Oldham at Greystones, and his Talk there," published indeed anonymously, but speedily recognized by the public and acknowledged by its author.

"Dr. Oldham" is one of the few books that are written not so much to make a book as because the writer has something

* Moral and Philosophical Essays. By C. S. Henry, D. D., Professor of Philosophy in the University of the City of New York. Andover. 1839. pp. 135.

† An Epitome of the History of Philosophy, &c. Translated from the French, by C. S. Henry, D. D., &c., &c. Harper's Family Library. 1841.

to say.* The form is partly dialogue, and partly that kind of dissertation into which the head of a family is so apt to fall when he loves to talk, and they are not unwilling to listen. In general character it belongs to the classic dialogue. This, — one of the most beautiful forms of literature, — in the hands of Plato and Tully, became the vehicle of the choicest wisdom of antiquity. If in modern times it has fallen into comparative neglect, it is chiefly, we believe, through our inconsiderate haste, although our pretentious vanity generally attributes it to a superior earnestness, neglectful of forms, and pushing straight on to the pith and marrow of thought. As if form were not as much a part of thought as light of color; and as if external beauty — we do not mean physical beauty, although it often holds good of this too — were something more than a sympathetic harmony with the beauty within. It is only when imitation takes the place of spontaneous impulse, and men write merely for the sake of book-making, that form ceases to be the characteristic exponent of thought. It was not Homer's fault that the Cyclic poets wrote tame verses in the exactest metre, but the blame lay in the presumption of men who aspired to the poet's laurel without the impulse of the poet's inspiration.

"Tu se' lo mio maestro e 'l mio autore," —

"Thou art my master, and my teacher thou," —

says Dante to Virgil, and, widely as the two poets differ in everything else, it is impossible to see how Dante uses the noble language that was springing into vigorous life under his forming hand, without feeling that he was truly Virgil's scholar. The complaint, in spirit, at least, is as old as Quintilian, who raised his warning voice eighteen centuries ago against unnatural divisions: "Scidit deinde se studium, atque *inertia* factum est ut artes esse plures videantur." † In all the best ages of literature, the profoundest thinkers have, with very few exceptions, been the best writers, — accurate in the use of language, observant of the laws of proportion, and

* "I can't see that a man has any business to write at all, unless he has something which he thoroughly believes and wants to preach about." — *School Days at Rugby*, Preface, p. 5.

† Quint. de Inst. Orat., Proem.

enjoying with a keen relish the graces of appropriate diction and the harmony of musical periods. Ideas and words, substance and form, practice and theory, form sharp antitheses, indeed, but antitheses hovering, as they all do, on the brink of falsehood, and as fatal to exactness and precision of thought as to grace and perspicuity of style.

Thought and Style, says an allegory which we have either dreamed of or read, were twins by birth, and after passing their infancy in the house of their father and mother, they set out upon the journey of life together. Hand in hand they went on, now gazing with wondering eyes at the objects which stood by the wayside, and now turning, with a smile of unutterable affection, to look at each other. Whenever Thought felt himself moved more deeply by anything that he saw, he pressed the hand of Style, and leaned harder upon him; and whenever Style stooped to gather a gay flower or a sweet-scented shrub, he laid it confidingly upon the bosom of Thought. At last they came in sight of a high mountain, so high that the top of it was hidden by the clouds; but just below the clouds was a temple of white marble, which shone in the sunbeams so brightly that the light from it extended down to the foot of the mountain, and illuminated the whole course of the steep and rugged path that led up to it. As they drew nearer, they heard a murmur of running water, which grew clearer and sweeter with every step, making their veins tingle and glow with a delight they had never experienced before. Soon they came to the spot whence the sound proceeded, — a sparkling fountain with a margin of green grass around it, smiling all over with flowers. On the grass there sat an old man, with a long white beard, and long white locks that curled around his forehead and over his neck as thickly as if he had been a boy. Every now and then he would stoop down to the fountain, and drink a full draught, and every time that he bent himself over the waters, they seemed to swell upward and meet his lips half-way. When he had finished drinking, he would turn his face to the light that fell from the temple, as if he loved to bathe himself in its beams.

The two brothers felt their hearts strangely moved as they gazed upon this old man, there was such a grand air of power

about him, and his face seemed to glow with such a lambent play of light from within. But when they would have spoken to him, they saw that he was blind, and they went up to him reverently, and took his hands in theirs, each a hand in his own, and laid them upon their heads. "I know you," said the old man as he felt the touch of their hands; "I heard your footsteps afar off over the green meadows, and have been cooling myself on this soft turf, and strengthening myself with these sweet waters for the journey we are to go together." And he rose, and all three addressed themselves to the way.

It was a narrow and rugged path, and ever as they went the old man leaned lovingly on the shoulders of the youths, and the youths seemed proud and happy to feel his great arms around them. One who had looked before and behind them would have wondered to see how the flowers sprang up wherever they passed, till the path which looked so rough before seemed to have been suddenly transformed into a garden-walk. As they drew near the temple, the doors opened of their own accord, to the sound of sweetest music, and a voice came from its inmost recesses, saying: "Welcome my son, welcome to the throne that I have prepared for thee, and from which thou shalt judge my worshippers through all time, and in every land; and welcome, too, shall be all they who come as you have done, leaning lovingly and trustingly on my chosen ministers, the twin offspring of Nature and Truth."

We regard it, therefore, as a great merit in "Dr. Oldham," that the author has taken pains to clothe his thoughts in appropriate language, to use sterling English, to arrange his words in an order pleasing to the ear and satisfactory to the intellect, and to pitch his sentences in a key well suited to the nature and the range of his subject. If we were to attempt to characterize this work in a few words, we should call it the result of much reading, much observation, and much thought, by a mind naturally disposed to subtile speculation, and an imagination easily warmed to that kind of poetry and eloquence which is so often combined with a taste for philosophical inquiry. It may remind you of Southey's "Doctor," but the suggestion is by no means necessary; and we have very little respect for that style of criticism which is constantly crying

out, "Stop thief!" at every recurrence of a familiar idea. It is impossible to read Sterne, and not remember that there once lived a Rabelais; or the "Doctor" himself, without feeling that, in the vast range of his insatiable reading, Southey must have found time to return more than once to the voluntary eccentricities of "Tristram Shandy." The manner in which one mind acts upon another is a curious and instructive inquiry, full of suggestion for the philosophical teacher, as well as for the philosophical critic. It is pleasant to follow the footprints of Homer through the sonorous hexameters of Virgil; to see how Tasso learned from both; and how all literatures would seem to have combined to build up the mighty structure of the "Paradise Lost." But it is a sad trifling with great things, if we might not better call it a profanation, to term Tasso a copyist because the night-scene in the second book of the "Jerusalem" is a translation of the night-scene in the fourth book of the "Æneid"; or to accuse Milton of plagiarism because the sixteenth line of the "Paradise Lost" is done, word for word, into English from the second stanza of the "Orlando Furioso." We may justly envy the feelings of the traveller who makes his way through solitude and danger to the source of a mighty river. But who would envy either the spirit or the judgment of the man who, with chain and compass in hand, should make it his pride to follow up every brooklet that might babble across his path? The author of a pleasant book is our friend and benefactor; and we are by no means disposed, while enjoying the fruit of his labors, to lay at his doors as a sin the coincidences of form or of thought that may now and then recall to our minds some earlier benefactor who had already performed for us the same friendly office.

Originality, however, is not the characteristic of this volume. The author's mind belongs rather, as it seems to us, to that class which works skilfully upon truths already discovered, than to that which enlarges the world of thought by new discoveries. It has been both said and sung, that one of the chief merits of a good writer consists in giving appropriate expression to ideas which already existed in many minds, although they had never found so fitting an utterance before. Without subscribing to this doctrine in its full extent, we

may safely allow that few writers are more useful or more generally acceptable than those who, without adding materially to the substance of our knowledge, add materially to its efficiency by bringing it into clearer light, and giving it a more tangible form.

From this point of view, "Dr. Oldham" is a work of singular merit. Without being professedly didactic, it inculcates important truths. Without incident, it attains a certain air of life and movement by a happy intermixture of dialogue and description. And without claiming to be a story, it is brought to the very verge of the story-teller's appropriate province by the assignment of a definite locality and a felicitous delineation of character. The Doctor himself is a character; — a man of quick impulses and tenacious opinions; speculative, yet dogmatic; with a quick eye for the ridiculous in others, yet quite unconscious of it in himself; with a keen relish of the beautiful where his habits of thought permit him to see it, a warm love of truth, and a thorough contempt for hypocrisy; — but somewhat inclined to think that, where he does not see it, there is no beauty to be seen; that the truth as he holds it is all of it that is worth holding; and that hypocrisy is never so thoroughly detestable as when she assumes the garb of some class for which he has a special aversion. It was a happy thought to paint such a man by words rather than by actions; for we very much doubt whether either Scott or Cooper could have made us look upon him with half the respect in active life, that unconsciously arises in our bosoms as we listen to his eloquent disquisitions in the embowering shades of Greystones. Mrs. Oldham is equally well conceived and equally well drawn, with a woman's happy adaptation to uncontrollable circumstances, and a wife's skill in softening her husband's defects. The other characters are profiles rather than portraits, — sketches to be filled up by the imagination of the reader, and serving chiefly to bring out the Doctor's ideas upon the various topics which the whim of the moment and a somewhat erratic imagination suggest.

Indeed, the motto on the title-page — *De omnibus rebus et quibusdam aliis*, "About everything and something more" — may be taken as a key to the volume, which, faithful to its

promise, begins with a library table, and ends with the phenomena of suggestion; descants upon the æsthetics of the kitchen, and grapples boldly with the science of government; talks of the stars and of little children, of woman's rights and the true idea of God, of bad catechisms and the real gentleman; eulogizes nonsense, and warms into genuine poetry at the sight of a beautiful landscape on a June morning; — serious or humorous, as the fancy dictates; always lively, generally judicious, sometimes profound; genial in the main, but with now and then an outflashing of what circumstances might convert into bitterness and satire.

We have already hinted that it is freshness of form, rather than originality of thought, that is to be looked for in this volume; and we like it none the less for telling us in a new way what we have often heard before. The doctrines themselves are, for the most part, just, — such, indeed, as we should expect from a disciple of Cousin, after ten years' experience in an American college, and fifty years' observation of American life. It is one of the advantages of teaching in the higher departments of knowledge, that the mind of the man is brought into immediate contact with the mind of the boy. Questions that for him have long been decided come up to be discussed and settled anew. Ideas that have taken their place firmly among the foundations of his moral and intellectual character, each with the peculiar coloring which his peculiar habits of mind would give it, are brought into new points of view as new lights are thrown upon them by the peculiar coloring of other minds. He is like a general in an enemy's country, constantly on his guard, throwing out skirmishers in front and on his flanks, and carefully watching every movement in his rear. Or, still more, perhaps, he is like the commander of a beleaguered fortress, going hourly rounds through all its defences, and holding himself ready to repulse the enemy at every point.

The solitary student has seldom that ready command of his knowledge which enables the man of the world to appear to twice his advantage with half his talent and information. Goldsmith used to say of himself, that he could always argue best when he argued alone; or, in other words, that he could

make a better use of his thoughts when he sat down tranquilly, pen in hand, to arrange them according to the laws of his own mind, than when he was compelled, as in conversation, to muster them at a moment's warning, and marshal them according to the laws of another's mind. But the student who passes daily from his study to the class-room, and is called upon to answer objections and explain difficulties upon the subjects of his daily thoughts, as he leads fresh travellers over familiar tracts, where every mile-stone recalls similar experiences and discussions, learns to keep his knowledge as a good librarian keeps his books, with a fixed place for every volume, and every volume in its place. His ideas thus acquire all the completeness of elaborate preparation, with a readiness of application which solitary thought seldom gives.

It is evident that "Dr. Oldham" is the production of a practised teacher; for it has all the clearness, distinctness, and precision of a teacher's mind, with somewhat, perhaps, of that tone of dogmatical injunction which it is so hard for a teacher to lay completely aside. The hero talks like one who is accustomed to be listened to, and meets objections with the air of a man who would sooner ride over a thing than allow it to obstruct his progress. Some of his precepts would make children very happy, and many an unnatural wrinkle might be smoothed out of older brows by a frank and hearty acceptance of his doctrine of nonsense, — an admirable amplification of the Horatian *desipere in loco*. The most elaborate chapters in the book are the chapters on government, which deserve a careful perusal, both for their general correctness, and as felicitous specimens of the author's skill in condensed exposition. Hardly less important in substance, though of more questionable form, are the fragments of theology which are scattered here and there, with a free, rather than a reverential hand. His abhorrence of reverence as a cloak often leads him to forget its importance as the appropriate clothing of a devout and humble mind.

Few men are so absolutely under the government of ideas as to be altogether independent of the language in which they are expressed. Nowhere, indeed, does the power of association display itself more enduringly, than in the connection

which it establishes between words and things. Even the Hebrew, with its meagre vocabulary of less than eight thousand words, has a large class which are found only in poetry. So instinctively do we feel that thoughts which elevate the mind should be expressed with a corresponding elevation of language. Hence, by that exaggeration which is so natural to the human mind, grew up that poetical diction which, at some period or other in the history of every literature, has usurped the place of poetry itself, — the hypocrisy of Parnassus, more venial, it is true, than the hypocrisy of religion and virtue, but not less surely fatal to the cause whose semblance it assumes. But even Wordsworth, the great reformer of our poetical language, paid, and still pays, the penalty of venturing too far, and pruning with too bold a hand; and we cannot but fear that the man who, even with the most reverential spirit, speaks of sacred things in the same tone and language with which he speaks of the common questions of daily life, will find many to imitate his language, and few to profit by his devotion.

We regret this tone the more in a work of so high an order, inasmuch as we regard the want of reverence as one of the chief moral defects of our national character. The American boy is said to be the least respectful of sons, the American daughter the least respectful of daughters. This defect of the youth becomes a vice in the man or woman, and, extending, as all radical errors do, to the various relations of life, gradually undermines the foundations of society itself. If the philosopher who walks with his eyes fixed on the stars sometimes stumbles into a ditch, the man who never raises them from the ground will be sure, in a long journey, to lose his way. It was not the least of Washington's services to his country, that he gave her a model of greatness which grows the more upon the imagination, the more closely it is studied. Yet there are few of us who have not, in the course of our American experience, been called upon to defend even the character of Washington. It is from this point of view that we have always looked upon the twelve volumes of Mr. Sparks and the five volumes of Mr. Irving as the most important moral and educational contributions that have ever been made to American literature, justifying as they do, on every page, the highest praises that

have been bestowed on this most perfect character of all history. In this connection, too, we would publicly record our gratitude to Mr. Whipple for that masterly essay, in which, with unanswerable force of argument and admirable vigor of style, he has shown how thoroughly, in this wonderful man, the highest qualities of intellect were combined with the highest qualities of our moral nature. It is by filling the youthful mind with the associations which, in the course of studies like these, unconsciously form themselves into ideals, that the boy learns to feel with what a vast debt of gratitude he is entering upon the duties of life, and how rigid an account he will be called upon to give of the manner in which he repays it.

To the volume the title of which we have placed at the head of this article we had proposed to devote a much larger space than we have given to its anonymous companion. They may easily be recognized as productions of the same pen, children of the same father, and possessing in an equal degree the characteristics of their father's mind, — clearness, vigor, and a partiality for general principles and metaphysical forms, with many of the excellences and some of the defects to which the combined habits of the pulpit and the class-room, unless carefully watched over and skilfully controlled, are so apt to give birth.

But here the pen falls from our hand, for the morning paper brings us — in the midst of exultation and triumph — the unexpected tidings of a great, a bitter, a general loss. Felton — a name associated with our earliest connection with these pages, a name which recalls all that was liberal in scholarship, comprehensive in culture, pure in sentiment, and generous in appreciation, — the warm-hearted friend, the genial companion, ever busy with book or pen, ever ready for earnest discussion or merry pastime, whose memory we shall never recall without its awakening a thousand tender recollections — has suddenly closed, in mid-career, a life so full of laborious usefulness in the past, and which, but an hour ago, still seemed to us so full of promise for the future. Let others tell all that he did for the cause of sound learning and pure taste, — how well he taught both by precept and example, how high he aimed and how high he reached; for us the grief is still too fresh, our heart is too heavy: it is only with a painful effort that we record his name, and, as we write it, bathe it with our tears.

## ART. XII. — CRITICAL NOTICES.

1. — *Homeric Translation in Theory and Practice. A Reply to Matthew Arnold, Esq., Professor of Poetry in Oxford.* By FRANCIS W. NEWMAN, a Translator of the Iliad. London. 1861.

IN writing our article "On Translating Homer" in the last number, we had not seen the little work of Mr. Newman. We have since carefully read it; and, while admitting that in several points he turns the laugh upon Mr. Arnold, we must say that he has not refuted any one of his main positions. Mr. Arnold's notion of the character of Homer's poetical genius and style is correct, and rests upon a sound view. Mr. Newman is certainly wrong in many of his opinions; and these opinions, as Mr. Arnold has shown, have led him into erroneous rules of translation. He is right in many of his criticisms of Mr. Arnold. His opinion of the duty of a translator in regard to the Homeric epithets is much nearer the truth than Mr. Arnold's, and his objections to some of Mr. Arnold's hexameters are certainly well-founded. But when he says that Homer's style is "quaint and garrulous"; that he is "absolutely antique, being the poet of a barbarous age"; that he abounds in "oddities"; that the Greek in the πέπων line is "odd and peculiar"; that Homer's similes "come from a mind quick to discern similarities, *but very dull to feel incongruities*"; that he sang "to a wholly unfastidious audience, very susceptible to the marvellous, very unalive to the ridiculous"; that he is often "grotesque"; — when he speaks of "throwing a thin veil over Homer's deformity," of Homer's "narrating perpetually from a mere love of chatting," and many other similar things, — Mr. Newman applies wholly unsuitable language to the old Ionian, and essentially misrepresents the spirit of the age. To call such an age and such a people barbarous, in face of the fact that the Iliad and Odyssey have come down to us, as representatives of its culture and civilization, is to set aside common sense in behalf of a mere theory.

Homer's style is neither quaint nor odd, in any just sense of the words. It did not appear so to the Athenians; it does not appear so to scholars now, excepting to those who have a touch of oddity themselves. Homer used the language current in Ionia in his age. He made himself a consummate master of all its tones. That language was recognized in after times as the proper language of epic poetry. The people of Greece were as familiar with the Iliad, as the people of England are with the language of the English Bible. It was the

basis of all literary education. It was publicly recited in Athens at every Panathenaic festival, and many educated men could say it by heart. Tragic and lyric poets used more or less its phraseology. Plato was so impressed with its unapproachable excellence, that he abandoned poetry, choosing to be the first prose-writer rather than the second poet of Greece. A few words — not many — came to be of doubtful meaning. But in general the language was clear and at once intelligible. Homer garrulous and chatty! It is true he is often minute, and enters into particulars of every-day actions which a modern poet perhaps omits; but he is not garrulous nor chatty any more than he is quaint and odd.

Mr. Newman is often felicitous in words and phrases; but in carrying out his theory he is also, and still more frequently, quaint and odd. He employs unusual words, — words of local origin, or antiquated. In this way, his process is just the reverse of that of Homer. He gives the poetry in English the quaint, odd, or grotesque characteristics which he fancies Homer possesses in the original, but which Homer certainly does not possess.

In speaking of the barbarism of Homer's age, he seems to forget that Egypt, a thousand years before Homer, was at the height of her remarkable civilization; that the Phœnicians, five hundred years before Homer, possessed the civilizing arts all round the Mediterranean Sea; that the Ionian Greeks were more highly gifted than either of the races we have named, and were in frequent intercourse with both. But without these external facts, how absurd to call an age barbarous, or an audience barbarous, for which the parting of Hector and Andromache, or the visit of Priam to the tent of Achilles, was composed.

Again, as to the perfection of the Homeric rhythm, Mr. Newman exaggerates the difficulty of appreciating it. It is true that we do not observe as the ancients did the element of time. We read the verse, and do not sing it. But rhythm is a matter of the intellect, as well as of the ear; we apprehend it independently of particular systems of pronunciation. For instance, each European nation indulges in a variety of pronunciation in reading Greek, and the modern Greeks differ greatly from all of them; but the sense and the mind catch the same rhythm in the Homeric hexameter, instinctively; just as we feel that the rhythm is the same in the German and English heroic couplet, though the words are totally different. We must still consider the metre adopted by Mr. Newman, namely, the iambic tetrameter catalectic of the Modern Greek Klephtic ballad, as unsuitable for a poem like the Iliad. We have heard these ballads sung, hours at a time, by men who had been Klephts on Mount Olympus, and we must confess that the rhythm grew monotonous after half a

dozen ballads were performed. The scene was in many respects highly Homeric; but we felt quite sure that the Panathenaic assemblies never could have listened to four and twenty rhapsodies delivered in that cadence. The reader shall judge by a few lines: —

Τὶ εἶναι μαῦρα τὰ βουνὰ καὶ στέκουν βουρκωμένα;
Μὴν ἄνεμος τὰ πολεμαεῖ, μηνὴ βροχὴ τὰ δέρνει; &c.

"Why are the mountains shadowed o'er, why stand they darkened grimly?
Is it a tempest warring there, or rain-storm beating on them?
It is no tempest warring there, no rain-storm beating on them;
'T is Charon sweeping over them, and with him the Departed."

This is excellent for a ballad; but most clearly it would become insufferably tiresome for an Iliad or Odyssey.

Mr. Newman refers several times to Gladstone's translations from Homer. These translations are contained in an exquisite little volume printed last year, called "Translations by Lord Littleton and the Right Honorable W. E. Gladstone"; the volume apparently being designed to celebrate interesting domestic events, "ex voto communi in memoriam duplicum nuptiarum VIII. kal. Aug. MDCCCXXXIX." The translations by Lord Littleton are all from English into Greek or Latin; they are skilfully executed in different kinds of verse, the laws and dialectic peculiarities of which are scrupulously observed; but, like all these tasks of modern scholarship, while they show the skill of the workman, they betray the severity of the task. The conscious reader feels at every line the grinding of the machinery by which it was produced, and soon grows weary of what evidently cost such strenuous toil. Mr. Gladstone's is the principal part of the volume. His translations, with the exception of four, are into English from the Greek, Latin, Italian, and German. The four exceptions are Latin versions of passages from the English poets. We must say that these translations show not only refined scholarship, but true poetic feeling for the beauties of the original. The versions from Homer alone come within the purview of this notice. The first is from the Homeric Hymn to the Delian Apollo, a famous passage, in which the bard, assumed by many to be Homer, describes himself as "the blind man who dwells in rocky Chios." It is well, but not very well, done. The next is the descent of Apollo, in the first book of the Iliad. This is one of the simplest passages in Homer, and yet in the movement of the rhythm and the selection of the circumstances of the scene, in the order of the incidents, and in the adaptation of the description to them, in the subtile harmony between sound and sense, in the effective rhetorical position of each word, it is a passage unsurpassed in poetry. No translations, probably, can repro-

duce all these effects so artfully managed; but several translations have come somewhere near the original in some of them. We think the hexameter version in Blackwood's Magazine is on the whole the best. Mr. Gladstone's is spirited, but he fails entirely of giving the marvellous effect of the word Βάλλ', the actual smiting of the host, with which the description for a moment pauses, and then the deadly issues follow. The next passage is the battle of the fourth book. This is the famous comparison of the moving hosts of an army to the waves of the Ægean driven by the zephyr against the Asiatic shore. The reader must remember that to the poet of the Iliad, as well as to the modern navigator of that classic sea, the zephyr is anything but the gentle breeze that plays among the locks of tender shepherdesses in pastoral poetry; it is a turbulent and stormy wind, coming down from the mountains of Thessaly and Thrace, sweeping over the Ægean, and stirring its waters. We have witnessed its effects day after day; we have seen the waves in swift succession breaking with continuous roar against the land, rising up and curling round the forelands and tossing afar the foam of the sea, — precisely the scene that Homer has in this passage with such vigor and accuracy described, — with one additional circumstance which Homer did not mention, because it does not belong to the heroic, that all the passengers on board the steamer, except the present writer, — Jews, Greeks, Armenians, and Turks, — were dreadfully sea-sick!

Mr. Gladstone's translation of this passage is very fine, with one exception.

> "First, far at sea, it rears its crest,
> Then bursts upon the beach,
> *Or* with proud arch and swelling breast
> Where headlands outward reach," &c.

The word which he renders *beach* signifies the whole solid ground, and the poet is describing not disjunctively, but cumulatively. The waves break against the solid earth, *and* (not *or*) curl round and overtop the headlands. All the rest of the passage is admirable. It is hardly necessary to pursue this vein of criticism. All the other translations from Homer are executed with the exquisite skill and taste to be expected of Mr. Gladstone; only here and there, by his failure to hit the precise meaning of an epithet or a line, we have been made to regret that he did not, like Lord Carlisle, make the scenery of the Ægean a commentary upon the Iliad. We close with the hope that the Chancellor of England will yet find time to follow in the footsteps of the immortal Ionian, and give the world a translation of the whole Iliad in the style of the passages which have been the subject of these few remarks.

2. — Τραγούδια Ρωμαΐϊκα. *Popularia Carmina Græciæ Recentioris.* Edidit ARNOLDUS PASSOW. Lipsiæ: B. G. Teubner. 1860. 8vo. pp. 650.

WE learn from the Preface to this volume, that its editor, Arnold Passow, is the son-in-law of the late Professor Heinrich Ulrichs, whose studies and travels in Greece are well known to the literary world. He was one of the accomplished German scholars who were selected by the Greek government to fill the chairs in the University of Otho, in Athens. He held the place of Professor, we believe, until the revolution of 1843 made a change in the organization of the Πανεπιστήμιον, and native Greeks were substituted for the German Professors. His researches in that interesting country, the results of which were embodied in his *Reisen und Forschungen in Griechenland*, and in learned papers elsewhere published, are of great value. To a scholar like him, of course, the present state of the language, and especially the popular poetry, would be most attractive subjects of study. He made collections by taking down from the lips of singers as many of their songs as he could, in his journeys through Greece, and others were communicated to him by friends. When he returned to Germany, he carried with him these treasures of popular poetry. It was his intention to publish an edition, not only of those he had himself gathered up, but of all that had been collected and published before. But his premature death interrupted the execution of this interesting literary project; and his materials were handed over to Mr. Passow. He has inserted in this handsome volume all the poems contained in the well-known publications of Fauriel, Canti, Zambelios, Kind, and others, besides those printed in the Athenian journals, in Pashley's and Ross's Travels, in the Χρονογραφία τῆς Ἠπείρου, in the Ἱστορία τοῦ Σουλίου καὶ Πάργας of the veteran general Perrhæbos, and in other miscellaneous works. The edition of Passow is therefore as comprehensive as can be desired, and it will be thankfully received wherever an interest is felt in the present fortunes and achievements of the Hellenic race.

Mr. Passow naturally regrets that he has not been able to visit Greece, in order the better to prepare himself for this work. He has, however, had the assistance of a learned Greek in Leipsic, Mr. Lycurgus, — a gentleman who is entitled to the thanks of the learned world by his service in assisting to expose the perjurer, forger, and impostor in general, Simonides of Syme. Passow justly remarks, that such a collection will not only, he hopes, be acceptable to the Greeks themselves, because it will show that their language has been less corrupted than could have been expected, and that many of the manners and

customs of their ancestors have remained unaltered through the deplorable times "in which the barbarians endeavored to overthrow the liberty and to crush the religion of the Greeks." The book will also be interesting to all scholars who are occupied with the study of grammar and comparative philology, and who may desire to know in what manner the Greek language has been transformed and changed from the age of Homer to our own. The investigators of antiquity will find not a few things in these popular songs deserving their attention, — as the appearance of Charon as the minister of death; of Hades, as the place of the departed; of blind rhapsodists wandering from village to village, delighting the people on festal days with epic ballads, such as thirty centuries ago sang the fates of Ulysses and the achievements of Achilles. "Clephtarum igitur res gestæ, qui præfectis Turcicis per multos annos mira fortitudine restiterunt, his hominibus non minus dignæ videntur, quas carminibus celebrent, quam illis Agamemnonis Achivorumque magna facinora."

When Fauriel's collection was published, in 1824, Goethe was much impressed by the poetical spirit of these epic ballads, and translated several of them with his customary felicity. Since then they have attracted the attention of many scholars. They are most interesting proofs that, even under the Turkish domination, the poetical spirit of the Hellenic race was not extinguished. It is probable that the substance of many of them belongs to a period anterior to the capture of Constantinople; but as they were mostly composed by illiterate singers, and preserved by the memory from age to age, the oldest among them have undergone changes corresponding to the changes in the spoken language. The greater part of the peculiarities of the Modern Greek, however, including the most popular of the rhythms, had become established among the Greeks of the Lower Empire as early as the eleventh and twelfth centuries, as may be seen in the humorous πολιτικοὶ στίχοι of the quaint old monk Ptochoprodromos. Other changes in phraseology were made by the singers of different regions, according to their whim or taste, as may be seen in the three or four versions of the curious old poem on the capture of Constantinople, and as any one may satisfy himself by listening to the peasants, in different parts of Greece, singing any of the more generally diffused Τραγούδια. The history of these popular ballads throws much light on the fallacy of the modern theory of the manifold origin of the poems of Homer.

The value and interest of Mr. Passow's collection are very decided. But the execution of his task as critical editor could not, under the circumstances, be entirely satisfactory. The text is frequently incorrect, both in the abbreviations and the orthography. Many of the

names in the *Index Geographicus* are wrong, and the *Index Verborum*, though useful as far as it goes, omits a great many words which ought to have been carefully explained; for, without such explanation, the common scholar cannot possibly read any considerable portion of the poems. In his desire that his work should be complete, Mr. Passow has inserted some indecent songs, which should never have been printed, and which one never hears in a respectable hut among the wildest mountains of Greece. In general, this poetry is singularly pure; and it is doing great injustice to the character of the people to publish in the same volume with the beautiful pieces which charm every reader of poetic sensibility, the coarse and ribald verses which come from the lowest depths of vulgarity and vice.

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3. — *History of the Town of Marlborough, Middlesex County, Massachusetts, from its first Settlement in* 1657 *to* 1861; *with a brief Sketch of the Town of Northborough, a Genealogy of the Families in Marlborough to* 1800, *and an Account of the Celebration of the Two Hundredth Anniversary of the Incorporation of the Town.* By Charles Hudson, a Native of the Town. Boston: Press of T. R. Marvin and Son. 1862. 8vo. pp. 545.

In June, 1860, the second centennial anniversary of the incorporation of Marlborough was celebrated by a public procession, a commemorative address by the author of this History, speeches by several gentlemen connected with the town, and other appropriate ceremonies. In the course of his preparations for the duty assigned to him for this occasion, Mr. Hudson collected a large amount of materials for a history of the town which could not be used at the time, and which he subsequently placed at the disposal of the Committee of Arrangements, who were authorized to print them as a part of the account of the celebration. But on consideration they wisely decided that it would be more expedient to procure and publish a connected history of Marlborough from its settlement to the present time; and accordingly a vote of the inhabitants was procured, authorizing the Committee to make an arrangement with Mr. Hudson for the preparation of such a history, to be published at the expense of the town. The volume now before us has been prepared and is published under the authority of this vote, so honorable to the citizens of Marlborough, and so worthy of imitation by other communities. It comprises an interesting sketch of the history of Marlborough from its first settlement, evidently prepared with great care, for the most part drawn from official documents, and including

lists of the town officers, and numerous statistical details. Appended to this, which fills rather more than half of the volume, are a compendious history of Northborough by the Rev. Dr. Allen of that town, which was originally a part of Marlborough, very copious and minute genealogical tables, and a full account of the Marlborough celebration. The volume is embellished with portraits of several of the prominent citizens, and with some other engravings.

Marlborough has not been prolific of distinguished men, and has not occupied a very conspicuous place in our Colonial or State history, but it has always been inhabited by a sturdy and patriotic people, and its history well deserves to be written. For many years it was one of the frontier towns of the Massachusetts Colony, and during the French and Indian wars it suffered severely, especially in King Philip's War, at the breaking out of which many of the early settlers removed to places of greater security. When the struggle between the mother country and the Colonies began, most of the inhabitants arrayed themselves on the side of the latter, and as soon as the news of the skirmish at Lexington was received, three companies of minute-men marched to Cambridge. A considerable number of persons also served at other places during the war, and gave abundant evidence that the martial spirit of their ancestors had not died out. At the present time three companies principally recruited in Marlborough are in the service of their country on the banks of the Potomac. At first the inhabitants were almost entirely engaged in agriculture, and the town still holds a high rank as an agricultural community; but within a few years several branches of manufacturing industry have been introduced, and have added much to the wealth and population of the place. The details of this growth are very clearly exhibited by Mr. Hudson. His style is not, indeed, marked by much eloquence or felicity of expression, and there is much in his volume which is of a purely local interest; but as a whole it is a welcome addition to the long list of town histories published within the last thirty years.

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4. — *The History and Literature of the Crusades.* From the German of Von Sybel. Edited by Lady Duff Gordon. London: Chapman and Hall. 1861. 12mo. pp. viii. and 356.

Though Heinrich von Sybel is still in the prime of life, he has already acquired a considerable reputation as an historical scholar; and Lady Gordon has therefore rendered an acceptable service in editing the volume before us, the first of his writings, we believe, which has been translated into English. It is divided into two unequal parts,

the first containing four lectures on the history of the Crusades, delivered at Munich in 1855, and the second, which forms a portion of the Preface to his "History of the First Crusade," comprising a thoroughly German examination of the works of all the principal writers on the Crusades, from the first chroniclers down to Michaud and Capefigue. The lectures cover about a hundred and thirty pages, and are noticeable for a strong and comprehensive grasp of the subject, rather than for minuteness of detail or breadth of research. With a clear and just perception of the various relations of his subject, the author exhibits the circumstances which gave rise to the Crusades, rehearses in a rapid and luminous narrative the principal events in their progress, and points out some of the results which flowed from them. Without presenting any new views of this memorable period, the lectures are marked by much power, and may be read with profit. In the second part the reader will find the evidence of a much closer study of the original sources of information, and a much more exhaustive treatment of the subject. This part of the volume was written when the author was only twenty-four years old, but it is marked by great critical acumen, and is an important contribution to the literature of the Crusades. The first chapter contains an account of the contemporary narratives and documents illustrative of the early events in the Holy War. The next two chapters are devoted to a minute discussion of the grounds of confidence in the narratives of Albert of Aix and William of Tyre, and of the reasons for rejecting some of their statements. The last chapter treats of the later historians, and of the relative worth of their writings.

The translation has been well executed, and is worthy of the reputation which the editor, a daughter of Mrs. Austin, has acquired by her previous versions from the German.

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5. — *History of the Four Conquests of England.* By James Augustus St. John. London: Smith, Elder, & Co. 1862. 2 vols. 8vo. pp. x. and 448, 452.

This is a work of considerable research and ability; but it is written to advocate a theory, and is strongly colored by the writer's prejudices and predilections. Under the influence of a partisan spirit, he depreciates the character and abilities of Cæsar, magnifies the virtues of the Anglo-Saxons, paints Harold, the last of the Saxon kings, as a second Alexander the Great, abuses William the Conqueror, and describes the Norman Conquest as a heavy blow to the progress of civilization. In-

deed, no English historian with whose works we are acquainted has ever carried his insular prejudices to so absurd an extent. It is not, perhaps, surprising that Mr. St. John should think that the English women have always been the most beautiful in the world, and that the English people are superior to all other nations, and it is only a harmless exhibition of national vanity for him to say so; but when he permits this notion, as he constantly does, to distort his narrative of historical transactions, and to color his portraiture of historical personages, his views become a fit subject for animadversion. For instance, he intimates that the famous Bayard may have modelled his character on that of Harold; and in another place, he says of Harold: "All the attributes which distinguish the English as a nation he possessed in a pre-eminent degree, — frank, honest, liberal, generous without ostentation, religious without bigotry, and superstitious in nothing save in attachment to the soil that gave him birth." The same disposition to play the advocate is apparent in every part of the work, and gives to it a partisan tone which greatly diminishes the reader's confidence in the narrative. In several other respects, also, Mr. St. John's labors are open to criticism. He devotes a disproportionate space to his accounts of battles which have lost all the significance they ever possessed, and at the best were little else than struggles between half-barbarous tribes, and he tells us very little of the laws, institutions, and customs of the early inhabitants of Britain, and of their successive conquerors. Nor does he ever attempt to penetrate beneath the surface of events, and point out the connection of cause and effect. His History will scarcely supersede the less accurate, but more philosophical, narrative of Hume, or lead to a reversal of the commonly received opinions respecting the events which are here described and the characters which are here delineated.

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6. — *Gleanings from Westminster Abbey, by* GEORGE GILBERT SCOTT, R. A., F. S. A. With Appendices supplying Further Particulars, and completing the History of the Abbey Buildings. Illustrated by numerous Plates and Woodcuts. Oxford and London: J. H. and James Parker. 1861. 8vo. pp. xvi. and 143.

THIS is one of the best books of its class which have ever fallen under our notice, and will prove equally attractive to the student of history and to the professional architect. The principal paper in it is an essay read before the Institute of British Architects, and afterward repeated before the London and Middlesex Archæological Society, by Mr. G. G. Scott, the architect employed in the restoration of the

Abbey buildings. In this paper Mr. Scott gives a very interesting and lucid account of the foundation of the Abbey, of the date of construction and the character of the different buildings within the Abbey precincts, and of their present condition, together with remarks on the details of workmanship, and much other curious information. The Appendices fill rather more than half of the volume, and comprise independent essays on Henry the Seventh's Chapel and Tomb, on the buildings erected by Edward the Confessor, on the Jerusalem Chamber, the Abbot's House, the Library and its contents, the Organ, the Monuments in the Abbey, and other subjects, by twelve gentlemen who have made special researches in regard to them, with extracts from the fabric rolls, and lists of the abbots, priors, bishops, and deans. The whole is abundantly illustrated with skilfully executed plans and drawings, showing the most minute details of construction. Nothing, indeed, seems to have been omitted which could be sought for in such a monograph of one of the oldest and most perfect specimens of Gothic architecture in England; and no one can study the volume without a feeling of increased respect for the persistent energy with which mediæval piety sought to give a durable expression to the religious sentiment, and for the exquisite taste with which every detail was elaborated in the cathedrals and churches of the Middle Age.

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7. — *The History of Scottish Poetry.* By DAVID IRVING, LL. D., Author of "The Life of Buchanan," etc., etc. Edited by JOHN AITKEN CARLYLE, M. D. With a Memoir and Glossary. Edinburgh: Edmonston and Douglas. 1861. 8vo. pp. xxxi. and 619.

THOUGH this History is now first published, it was announced as in preparation more than thirty years ago, and was probably completed not long afterward. During this interval considerable new light has been thrown on the subject of which it treats; but Mr. Irving does not appear to have availed himself of any of the recent publications of this class, and his work is given to the world in the form in which it was left at his death, a few years ago, and without the benefit of his final revision. It cannot, therefore, be regarded as quite abreast of the latest inquiries into the history of Scotch literature, and it is not, to any considerable extent, a work of original investigation, like Ticknor's "History of Spanish Literature," or Hallam's "Introduction to the Literature of Europe." Mr. Irving, however, was a man of much literary taste, and his position as librarian of the Advocates' Library in Edinburgh gave him great advantages in the preparation of such

an historical survey of the growth of Scotch poetry as this. It includes notices of most of the principal poets from Thomas the Rhymer, who flourished in the latter half of the thirteenth century, to Lady Wardlaw, who died about the year 1727, with abstracts of many of their works, and copious extracts. Mr. Irving is not a pleasing or elegant writer, but he has discharged his self-imposed task with fidelity; his citations appear to be judiciously made, and his work furnishes a sufficiently full account of the state of Scotch poetry during the five centuries over which it extends.

Prefixed to the History is a short memoir of the author, by his friend, Mr. David Laing; and the volume is also enriched by a copious Glossary, which, indeed, is indispensable for understanding many of the extracts, and an Index. Dr. Carlyle's editorial labors appear to have been confined to the verification of the extracts and references, and the addition of a few notes.

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8. — *The Vita Nuova of* DANTE. *Translated, with an Introduction and Notes, by* THEODORE MARTIN. London: Parker, Son, & Bourn. 1862. Small 4to. pp. lviii. and 120.

THE excellent reputation which Theodore Martin has acquired by his previous writings and translations, and especially by his much-esteemed version of the Odes of Horace, is a sufficient guaranty that any work bearing his name will be characterized by ripe scholarship, and will be clothed in a style of great purity and elegance. In both these respects the volume before us will fully answer the expectations of its readers, and will add to the growing popularity of the editor. The elaborate Introduction which he has prefixed, and his copious notes, evince a careful study of Dante's life and works, and a just appreciation of his character, while the translation of both the prose and poetical parts of the "Vita Nuova" is uniformly marked by judgment and good taste. As a translator of poetry Mr. Martin has, we think, few superiors in our language; and his versions from Dante are among his most successful efforts. In his Introduction and notes he shows a large familiarity with what has been written on Dante by others; but he does not appear to have seen several well-considered papers on the "Vita Nuova" by our countryman, Mr. Charles Eliot Norton, which were printed in the third volume of the "Atlantic Monthly," and which have contributed much to a better understanding of Dante's life and works among American readers.

9. — 1. *John Brent.* By THEODORE WINTHROP, Author of "Cecil Dreeme." Boston: Ticknor and Fields. 1862. 16mo. pp. 359.
2. *Margret Howth. A Story of To-Day.* Boston: Ticknor and Fields. 1862. 16mo. pp. 266.

"JOHN BRENT" differs widely in plan and execution from "Cecil Dreeme," the first of the posthumous works which have been withdrawn from Major Winthrop's portfolio, but it exhibits the same vigor and originality of thought, and the same skilful command of language; and a more just estimate of the writer's powers may be formed from a comparison of the two works, than can be derived from either, considered separately. "Cecil Dreeme" is not without some obvious defects, as we observed in our last number, though, on the whole, it is a more artistic production than the work now before us; but in the latter we breathe a freer and fresher atmosphere, and it has, perhaps, a more healthful tone. Its scene is laid for the most part in California, and on the homeward road through Utah, and, like the author's previous work, it is understood to have been founded in some measure on his personal experience. The characters are drawn with a masterly touch; the descriptions of scenery have a minuteness of detail and a brilliancy of coloring which show how keen an eye Major Winthrop had for everything that is beautiful in nature and art; and the narrative moves forward with a rapidity which seldom flags, and which holds the reader's interest undiminished to the end. Occasionally we gather glimpses of the writer's personal character, and of his opinions on some of the most important questions that invite the attention of every thoughtful person; and though these opinions are sometimes obtrusively introduced, and must offend many of his readers, they serve to establish a closer relation between writer and reader. Seldom have we read two works of fiction which have given us a higher idea of the writer's ability, or which have caused a more painful feeling of regret at the early death of one who had given such rich and abundant promise of future eminence. A writer who could deliberately lay aside two works like "Cecil Dreeme" and "John Brent" must have felt within himself a strong assurance that he could accomplish far greater things than he had yet attempted. Nor can we doubt that, if Major Winthrop had lived, he would have attained to that height of excellence which he evidently held in view.

"Margret Howth" is said to be the first work of a young lady; but it shows a familiarity with some of the darker experiences of human life which one would scarcely have expected to find in such a writer. It owes its interest mainly to this characteristic, since it deals

with the inner life, rather than with the outward experiences of the various personages to whom we are introduced. The passions which burned within them, and the problems by which their minds were vexed, furnish the groundwork of the story, and there is comparatively little of either narrative, incident, or dialogue; but in the line which the writer has marked out for herself she has achieved a high degree of success. The skill with which she has analyzed some of the strongest of human passions, and shown how they moulded and colored the lives of the different personages in her story, cannot fail of general recognition; and in spite of its want of incidents and its mannerisms in style, no one can read the book without feeling its power, and wishing to know more of so vigorous and subtile a writer.

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10. — *Poems.* By WILLIAM ALLINGHAM. First American Edition. Boston: Ticknor and Fields. 1861. 32mo. pp. 276. [Blue and Gold.]

WILLIAM ALLINGHAM is one of the most promising of the young Irish poets of the present day. His poems do not, it is true, exhibit much originality of thought or expression, and he has not yet given evidence of the ability to compose a long work; but many of his lyrics have great delicacy of fancy, and an unsurpassed melody of versification. Indeed, the exquisite ease and simplicity of his style must be apparent to the most uncultivated ear; and his pathos is scarcely less noticeable. Many of the songs in the volume before us are among the best productions of their kind in our recent literature; and though the collection is quite small, it comprises nearly twenty pieces which need only to be known to become general favorites. The longest poem in the volume, "The Music Master," is a love-story of about nine hundred lines, and contains some passages of great beauty and tenderness, but as a whole it is inferior to the minor productions.

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11. — *The Alps; or Sketches of Life and Nature in the Mountains.* By H. BERLEPSCH. Translated by the REV. LESLIE STEPHEN, M. A., Fellow and Tutor of Trinity Hall, Cambridge. With 17 Plates from Designs by EMIL RITTMEYER. London: Longman, Green, Longman, and Roberts. 1861. 8vo. pp. 407.

THIS volume differs from every other book on the Alps which has fallen under our notice. It is not a mere record of personal adventures or of personal impressions; nor is it a scientific treatise on the geology

or the natural history of the Alps, though to some extent it unites the characteristics of both. It is, however, one of the best popular works on the subject which we have seen, and its design has been very skilfully executed. As its title indicates, it comprises a series of descriptive essays on the natural phenomena which come under the eye of a traveller in the Alps, together with graphic sketches of some of the most striking phases of Alpine life; and the whole is illustrated by a number of very spirited and well-executed engravings. Among the topics included within the writer's plan are: "The Fabric of the Alps," "The Ban-Forests," "Alpine Roses," "Mountain Snowstorms," "The Avalanche," "Alpine Summits," "Mountain Passes and Alpine Roads," "Châlet Life in the Alps," "The Goat-Boy," and "Village Life in the Mountains." These themes, and many others of a like character, are all treated in such a manner as to show that the writer has a large familiarity with every part of his subject; while his animated and picturesque style adds much to the interest of his descriptions. The translation is moderately well executed, though in some places it is disfigured by the introduction of foreign idioms, and in others the translator appears not to have understood the author's exact meaning. From no other work on the Alps have we gathered so clear an impression of the peculiar characteristics of ordinary life among the Swiss mountaineers, or of the dangers of Alpine travel aside from the principal roads.

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12. — *Leisure Hours in Town.* By the Author of The Recreations of a Country Parson. Boston: Ticknor and Fields. 1862. 16mo. pp. 437.

The essays in this volume are of a more various character than were those in the first two volumes published by Mr. Boyd; but they have the same manly and healthful tone, and are composed in the same graceful and attractive style. Around every subject which he touches our author throws a peculiar charm, and nowhere do we find in his pages any indication of mental exhaustion or fatigue. His papers are still, in the best sense of the term, "recreations," and his readers are still led back to the contemplation of familiar truths by easy and pleasant ways. He never, indeed, presents an exhaustive treatment of any subject, but he never fails to unfold and illustrate his theme with a happy combination of good sense and intellectual acuteness. Added to these traits are a liberal and catholic spirit, a freedom from affectation, and a purity of taste which are nowhere more apparent than in the volume before us. While he never forgets that he is a clergyman, with special duties

to perform, he never makes the clerical character offensively conspicuous, and seldom adopts a homiletic style. In general, his diction is chaste and dignified, giving evidence of a ripe culture and a long practice as a writer; but there is sometimes an excessive use of the relative "which," the word frequently occurring two or three times in a single short sentence, and each time with reference to a different antecedent.

The present collection comprises thirteen essays, beside an introductory chapter "Concerning the Parson's Leisure Hours in Town," and a "Conclusion." Among the best of these are the papers entitled "Concerning People of whom more might have been made," "Concerning People who have carried Weight in Life," "College Life at Glasgow," "Concerning a great Scotch Preacher," and above all the admirable and suggestive paper "Concerning the Sorrows of Childhood," perhaps the best essay which Mr. Boyd has yet written. The essays on "The Organ Question in Scotland," and on "Scotch Peculiarities," are also replete with interest, and there is not a single paper, unless we except the short paper entitled "Gone," which is unworthy of the writer's reputation.

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13. — *Julien l'Apostat. Précédé d'une Étude sur la Formation du Christianisme.* Par EMILE LAMÉ. Paris: Charpentier. 1861. 12mo. pp. 356.

WHO is M. Emile Lamé? No convenient authority answers for us this question, and to all appearance the singular treatise upon Julian the Apostate to which he has attached his name is his introduction to the world of letters. We call the production "singular," since it is not easy to decide, either in reading it or in thinking it over, whether the author is sincere or satirical. The ground idea of this treatise is, that Julian was really a good Catholic Christian; that the system of Paganism which he attempted to restore was what is called in these days Catholic Christianity; and that, if he were living now, he would see his work strong and manifest in the ritual and the dogmas of the Roman hierarchy. According to M. Lamé, Julian understood the purpose of Christ a great deal better than the Fathers, and, in hindering their narrow Galileeism, aimed to establish the broader idea of a universal religion, which should borrow all the essential piety of the heathen religions. To develop this notion is the object of M. Lamé's treatise. How far it is his honest belief it is difficult to say. The rationalistic tone of his elaborate Introduction is hardly consistent with hearty faith in the creed or the pretension of the Church. He seems to find its origin in something else than supernatural grace.

The most significant part of the Introduction is that which states the contribution of the several races of mankind to the formation of Christianity, which thus becomes a great eclectic system of Paganism. On the basis of this idea, M. Lamé has constructed his sketch of the life of the grandson of Constantine. He has added no new facts to the critical lives of Julian. But his narrative is very clear, vigorous, and interesting, and the argument is so subtile as not to seem argument. He does not apparently labor to justify a paradox, but takes his position as too evident to be disputed. The opening words of the final chapter are: "I cannot better close than by repeating what I said at the opening; Julian is one of the most Christian souls which have ever existed, not, it is true, after the manner of Protestants, but of Catholics. If he were living in our days, he would be a priest and a Catholic journalist."

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14. — *Evenor et Leucippe. Les Amours de l'Age d'Or. Légende Antédiluvienne.* Par GEORGE SAND. Paris: M. Lévy Frères. 1861.

FROM the date of the Preface of "Evenor and Leucippe," August 25, 1855, it would seem that this is one of the works which George Sand has for a long while been doubtful about publishing. Many such, it is said, she has written from time to time. One might well delay to publish a romance with such a title, and dealing with such high and grave themes. There is a certain daring in calling a novel an "Antediluvian Legend," and making the Garden of Eden the scene of a love-story. George Sand, however, is not afraid to venture on what is usually considered forbidden ground; and we presume that her hesitation in publishing has not come from any fear of the religious world, or any dread of the charge of blasphemy. The title of her book raises apprehensions which the book does not justify. It has nothing which misuses or improves upon the Biblical account, and it does not, like the profane romances of the Rev. Mr. Ingraham, adapt the scenes of the Old Testament to gorgeous and erotic descriptions. It does not profess to be a Scriptural story. And yet it is a story in which the writer has wrought out her theological system, her ideas of nature, of man, and of God, her theory of sin, redemption, duty, and destiny. It is half an allegory, and half a theological romance. The Introduction furnishes the key to the book. *Love*, in the highest sense of that word, is the principle which gives dignity to the nature of man, separates him from the lower creation, rescues him from sin, allies him to God, and secures for him eternal life. Not content with the meta-

physical answer to the problem of the nature of man, "the being that thinks and can say, I," — or with the philosophical answer, "the being that acts and would make progress," — or with the naturalist's answer, "the being that can use articulate words, and who has a language," — she adds a fourth and higher answer, that man is "the being that can *love*, and love with a spiritual sentiment." Her romance is to illustrate the power and the province of this reconciling love.

The scene and the characters of her romance are not furnished, as we might at first think, by the Biblical story, but by the Critias of Plato, in that famous section in which the Atlantic island and its inhabitants are described. This picture of the Eden has seemed to her preferable to the account in Genesis, and the names of Evenor and Leucippe at once more musical and more human than the names of Adam and Eve. The name "Teleia" which is given to the "*deev*" of the story, a personage half human, half divine, — or rather at once divine and human, having the heavenly soul and knowledge, with an earthly body and needs, — is an invention of the author; — Plato does not use that name. No other supernatural person appears. The Elohim is not introduced, nor is there any serpent in the Paradise.

We cannot, of course, follow here the ingenious development of this allegory, which moves with unwonted slowness. Sometimes the thread of thought seems to vanish, like rivers in the African forests, but it reappears as we go on, and soon becomes a clear, shining lake. Paradise is lost, through the pride and the selfishness of men: it is regained by love. Bloody sacrifices of all kinds are abhorrent to the Divinity. Love teaches to refrain from violence, to allow liberty, and to bring as an offering to God only the fruits of innocent labor and of family affection. The chapter upon the "Family" is the explanation of all the rest.

We need not say that the style of this, as of all George Sand's romances, is transparently pure, and nervously strong. We can detect no loss of power in the expression of thought, numerous as her writings have been. Equally pure is the sentiment of all her later romances; and the objection to this will be rather theological than moral. There is no grossness in the scenes or the conversations. It is, however, evident that the author's scheme of life and idea of the world and man are not those of the Christian Church; that she is at once an idealist and a naturalist, believing that man is the bond between what is celestial and terrestrial, and that divinity is here with the race. Man contains all lower forms of organic life, and holds, too, the fulness of the divine life. By love he becomes as the immortals.

So curious and striking a romance as this will doubtless find speedy

translation; but we cannot expect that it will become as popular as the other writings of George Sand, having a purpose so scientific, and being so tame in its incidents. Those who seek "love" in romances will find these details of love in the golden age, typical as they are, far less interesting than the loves of actual earthly life, which mean nothing beyond themselves.

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15. — *En Fumant.* Par ALPHONSE KARR. Paris: M. Lévy Frères. 1862. 12mo. pp. 320.

THE sarcasm of M. Alphonse Karr is at once witty and wise, shrewd and fantastic, keen and kind. Its severity is rarely malignant; and none will laugh more heartily at these savage thrusts than the victims of the satirist. The last production of M. Karr in this kind, though bearing the date of 1862, had reached a second edition before the beginning of the year, and will doubtless pass through many editions before the demand ceases. Everybody in Paris must laugh with this demonstrator of the ridiculous side of life. The odd fancies of the satirist may come "in smoke"; yet they will not so easily vanish, but will leave a long flavor and hue behind them. Some of the fifty-seven morsels of this brilliant book are on worn topics, and there is no novel satisfaction in ridiculing the French Academy or the magnetizers whom they condemned. But most of the topics are new. The freshness and charm of M. Karr's dashing style would make any topics entertaining. M. Karr is by no means a reformer, and it is not a profound moral purpose which leads him to the exposure of humbugs in every kind. He is, like Heine, a satirist by taste and nature, without the morbid sentiment and poetic melancholy of the fanciful German. He rattles on, saying what occurs to him, without any hope of results or fear of consequences. He is one of those provoking writers who have no moral earnestness, no theories of the world and life, and who are not afraid to have their jest on every subject and every occasion, yet withal are very useful and very fascinating. Reading M. Karr's books is like inhaling nitrous-oxide gas, which leaves very pleasant sensations, though you cannot recommend it as a pure atmosphere.

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16. — *The Cross-Bearer. A Vision.* Boston: American Tract Society. 1861. 16mo. pp. 206.

A SERIES of seven pictures, of French origin, was the fruitful germ of this beautiful and edifying book. The number is increased to twelve

very chaste, rich and expressive engravings, in each of which the cross is the central object. Each is made the theme of a separate chapter of the continuous vision, in which the cross-bearer, receiving the symbol of his faith from Him who first bore it and suffered upon it, passes on, through various phases of Christian experience, to his recompense and crown. Each chapter is enriched with illustrative extracts in prose and poetry, and the whole constitutes a work in its mechanical execution surpassingly tasteful and attractive, in its wealth of devout thought and sentiment not unworthy to be a companion-volume of the Gospel whence its inspiration came.

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17. — *A Commentary on Ecclesiastes.* By MOSES STUART, late Professor of Sacred Literature in the Theological Seminary at Andover. Edited and Revised by R. D. C. ROBBINS, Professor in Middlebury College. Andover: Warren F. Draper. 1862. 12mo. pp. 346.

THE first characteristic of Professor Stuart as a commentator is the exhaustive thoroughness of his labors. He leaves no question with regard to the external history of the book under treatment without full discussion; makes a fair statement of all tenable theories; enters into the derivation, affinities, and assignable significations of every important word; and inserts or appends dissertations, or, as he prefers to call them, *excursus*, on every point of difficult decision, and on the bearings of every salient phase of doctrine and opinion. He is also untrammelled by traditions, and never shrinks from avowing his honest belief when it departs from the standard of critical orthodoxy, or diminishes the weight of argument for his own theological dogmas. His exegesis is in general skilful and felicitous, especially in bringing out the meaning of obscure passages, and adding new and delicate shades of thought to the more obvious and superficial sense; but it is sometimes too refined and subtile, attaching to a word or sentence a signification which presupposes in the author a philological taste kindred to his own. His style has some marked faults, and perhaps no distinctive excellence. He is prolix, is fond of unusual and learned words, and mingles too freely with his English diction words and phrases from the Latin and Greek. His Commentary on the Ecclesiastes seems to us one of the best of his many works. He demonstrates conclusively that Solomon could not have been its author. He appreciates its character as a criticism on human life. He redeems it from its fragmentary aspect, and develops its unity of plan and purpose. His verbal analysis is close and thorough, and his translation is well-worded, clearly intelli-

gible, and sedulously conformed to the last results of Hebrew scholarship.

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18. — *A Commentary, Critical and Grammatical, on St. Paul's Epistle to the Ephesians. With a Revised Translation.* By CHARLES J. ELLICOTT, B. D., Professor of Divinity, King's College, London, and late Fellow of St. John's College, Cambridge. Andover: Warren F. Draper. 1862. 8vo. pp. 190.

THIS Commentary — designed solely for the use of scholars — indicates, on the part of the author, an elevated standard of attainment, equally in philology and in the literature of biblical criticism, and the most laborious and faithful study of the Epistle to which it relates. It unites also the reverence of the Christian with the freedom of the critic. It lacks, however, a sufficiently extended introduction. It gives no synopsis of the Epistle, and this is especially to be deplored with reference to any writing of St. Paul; for though no author ever had more unity of purpose and definiteness of plan than he, his digressions are so numerous, and carry him so far, that the reader who follows him in them cannot always return with him to his point of departure. A brief analysis, marking the transitions of thought, and presenting compendiously the aim and scope of the entire Epistle, is all that is needed to render this volume one of the most perfectly finished works in the department of sacred letters to which it belongs.

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19. — 1. *The Elements of Logic: adapted to the Capacity of Younger Students, and designed for Academies and the Higher Classes of Common Schools.* By CHARLES K. TRUE, D. D. Third Edition, revised. New York: Carlton and Porter. 1861. 16mo. pp. 176.

2. *Rudiments of Public Speaking and Debate; or, Hints on the Application of Logic.* By G. J. HOLYOAKE, Author of "Mathematics no Mystery," "Logic of Facts," etc. *With an Essay on Sacred Eloquence, by* HENRY ROGERS. Revised by Rev. L. D. BARROWS. New York: Carlton and Porter. 1861. 16mo. pp. 230.

WE have already expressed our high appreciation of Professor True's Logic, and are glad to find that our opinion has been so extensively shared as to call for a third edition. A familiar treatise on the application of logic to public speaking was a desideratum which is now ably supplied by Mr. Holyoake. His treatment is both scientific and familiar, establishing sound principles, and illustrating them by

such instances and citations as at once attract attention and convey vivid impressions of the truth and utility of the rules and maxims laid down by the author. The Essay on Sacred Eloquence is the able and discriminating review of Hare's Sermons, which appeared in the Edinburgh Review, in 1840. Of Dr. Barrows's Introduction, we can only say that it is so just in thought, weighty in substance, and perspicuous and graceful in style, as to make us somewhat intolerant of its brevity.

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20. — *A Commonplace-Book: designed to assist Students, Professional Men, and General Readers in treasuring up Knowledge for Future Use.* Arranged by Rev. JAMES PORTER, D. D. With an Introduction, by Rev. WILLIAM RICE, A. M. New York: Carlton and Porter. 1861. pp. xxvi., 401.

ALL that we can say of this volume is that it is ample, elegant, of firm and white paper, well ruled, with a generous space for an alphabetical index. Of the advantages derived from a well-stocked and well-indexed commonplace book there can be no question; but we doubt whether these advantages are so generally sought by literary men in this "fast" age, as when books were fewer and time less fully occupied.

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21. — *The History of the Religious Movement of the Eighteenth Century, called Methodism, considered in its different Denominational Forms, and its Relations to British and American Protestantism.* By ABEL STEVENS, LL. D. Volume III. *From the Death of Wesley to the Centenary Jubilee of Methodism.* New York: Carlton and Porter. 1861. 8vo. pp. 524.

THE first two volumes of this great work were reviewed at length in our pages. The volume now before us pursues the narrative with unflagging interest. Though the Wesleys have passed off the stage, they are here succeeded by men in every way worthy of their leading, whose heroism and devotion constitute brilliant portions of the annals of the Church, and whose life-record is no less fraught with the elements of Christian greatness than that of their illustrious forerunners. Methodism has in its parentage everything that can authenticate its Divine mission. Its system, indeed, may fail to satisfy the religious taste and wants of large portions of Christendom; but all denominations are greatly indebted to it for the fresh impulse that it gave, and still gives, to a living and working faith; while there are thousands upon thousands, in whom the religious life could be kindled

only by the intenseness of its zeal, and kept vigorous only by the stringent, yet beneficent and paternal, direction and restraint of its discipline. It has grown, because it had and still has a work to accomplish, which at the time of its origin no other church had begun to do, and which now no other body of Christian believers is accomplishing so ably and successfully.

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22. — 1. *The Missionary in Many Lands. A Series of Interesting Sketches of Missionary Life.* By ERWIN HOUSE, A. M. With Illustrations. New York: Carlton and Porter. 1860. 16mo. pp. 393.

2. *Life among the Chinese: with Characteristic Sketches and Incidents of Missionary Operations and Prospects in China.* By Rev. R. S. MACLAY, M. A., Thirteen Years Missionary to China from the Methodist Episcopal Church. New York: Carlton and Porter. 1861. 16mo. pp. 400.

THE first of these volumes consists of a series of narratives selected from the most romantic and heroic portions of missionary history, designed and admirably adapted to create zeal in the cause, and to enlist Christian charity in the enterprise, of evangelization.

Mr. Maclay's work consists in part of a carefully written, though rapid, sketch of China, past and present, and in part of the history of the mission to which the author was attached. Though less elaborate than some of the publications referred to in an earlier part of this number, it is still a worthy instance of the contributions of the missionary enterprise to the advancement and diffusion of knowledge; while it bears emphatic testimony to the adaptation of Methodism to aggression upon Pagan territory, no less than upon unbelief and irreligion in Christian lands.

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23. — *Tracts for Priests and People.* By Various Writers. Boston: Walker, Wise, & Co. 1862. 12mo. pp. 372.

THIS book is designed to represent the Broad-Church view of the ground covered by the "Essays and Reviews," which have constituted so strongly marked an epoch in the history of the Church and of opinions. These Tracts have the salient excellences and faults of the school to which they owe their origin. They are broad and generous in their expressions of sympathy, tolerant of dissent, comprehensive in fellowship, liberal in their tone of thought, reverent without cant, bold, but

not rash. At the same time, their statements of truth are somewhat vague, dim, and shadowy, and every light-beam that opens a vista into sacred mysteries has about it a penumbra that shuts in the view as soon as it is opened. The writers betray on every page their double vision and their divided affinities, as propense on æsthetic grounds to ecclesiastical order, symbols, and traditions, as in intellect and in spiritual sympathy attached to the movement party, and to that formless abstraction and sweet, beguiling vision, the Church of the future. The two writers whose names are most familiar to American readers are Thomas Hughes and F. D. Maurice. Hughes is direct, strenuous, and forcible. Maurice, as always, displays a moral sense and a spiritual discernment far in advance of his understanding, and abounds in ambiguities, obscurities, and self-contradictions.

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24. — *A Treatise on some of the Insects Injurious to Vegetation.* By Thaddeus William Harris, M. D. A New Edition, Enlarged and Improved, with Additions from the Author's Manuscripts and Original Notes. Illustrated by Engravings drawn from Nature under the Supervision of Professor Agassiz. Edited by Charles L. Flint, Secretary of the Massachusetts State Board of Agriculture. Boston: Crosby and Nichols. 1862. 8vo. pp. 640. Plates VIII. Wood-cuts 278.

The first edition of this work appeared in 1841, under the auspices of the Commissioners for the Zoölogical and Botanical Survey of Massachusetts. The department of Entomology fell of necessity and of right to Dr. Harris, who had devoted many years of patient scientific labor to it, and who had, and left at his death, no equal or competitor. His habits of mind eminently qualified him for the task. Indefatigable in research, the master and never the slave of theory, rigidly methodical, severely accurate, conscientiously faithful, he left scanty scope for gleaning in a field where he had been the reaper. The enemies of vegetation present numerous and intensely interesting specimens of beauty in form, complexity in structure, and adaptation to what seems to us the marplot part they play in the economy of nature; and if science has discovered as yet few and imperfect means of thwarting their destructive instincts, it is some consolation to have them served up so delicately for the entertainment and instruction of the race which they still outwit and plunder. Dr. Harris's Report, though its aggression upon the hordes that creep and fly is far from having had distinguished success, is believed to have exceeded all previous and subsequent trea-

tises in suggesting means of prevention and remedy, and therefore merits the profound gratitude of farmers and horticulturists. The present issue, ably edited, and brought down to the latest discoveries in the structure and habitudes of its subjects, merits special regard for the beauty of its execution. It is the master-work of the University Press, and we can hardly say more than this. The copy before us, on richly tinted paper, with delicately colored engravings, and wood-cuts the most exquisite we have ever seen, yields in chaste elegance to no English or American publication of its class. While this may adorn the centre-table, it bears too high a price for general circulation and popular use. The publishers, therefore, have in press a cheap edition, with the illustrations in full, which will be within the easy reach of all whom it may interest.

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25. — *Tragedy of Errors.* Boston: Ticknor and Fields. 1862. 16mo. pp. 249.

We had hoped to receive the second part of this tragedy early enough to present some estimate of its merit in the aggregate; and though the *avant-coureur* of the volume before us — the "Record of an Obscure Man" — hardly prepared us for so remarkable a dramatic poem as this, the *dramatis personæ* left alive for the sequel lead us to anticipate even a higher exhibition of imaginative and poetic power. The plot of the first part is original, bold, full of incident, with strongly drawn and strongly contrasted characters, and with an adherence to the unities which would almost have satisfied the French purists of Racine's time and school. But while the outline of the story indicates a mastery of the dramatic art in which this, though the author's first essay, hardly leaves room for improvement, we are even more fascinated by its poetical merit. Not only are there single passages which invite frequent reperusal for their sweetness and grandeur, for the tenderness of affection, the loftiness of devotional sentiment and the intenseness of guilt and woe which they embody; but there is no interlude of commonplace, — the severe dignity of the tragic Muse is sustained throughout; and were there room for any criticism, it would be, that the subordinate interlocutors, of whatever condition and culture, are made to utter equally recondite thought with the personages of higher mark, in a rhythm that never breaks or flags. The scene is laid in the far South, and the plot hinges on the inherent wrong and misery of the institution that is now convulsing our land with internecine war. The great interests poised in the present contest give a sad timeliness to a work which could at no time have appeared without a warm welcome in the realms, alike of literature and philanthropy.

26. — *Solomon's Temple; or, The Tabernacle; First Temple; House of the King, or House of the Forest of Lebanon; Idolatrous High Places; the City on the Mountain (Rev. xxi.); the Oblation of the Holy Portion; and the Last Temple. With Twenty-one Plates of Sixty-six Figures, accurately copied by the Lithographer from careful Drawings made by the Author*, T. O. Paine, a Minister of the New-Jerusalem Church. Boston: George Phinney. 1861. 8vo. pp. 99.

This monograph is a work of exquisite beauty. The lithographs are perfect in their kind, and present the sacred places and objects of the Hebrew faith as they have never been represented before. It is a life-work, and can have been the fruit only of the most patient and laborious research. It comprises a faithful analysis of all portions of the Scriptures that bear upon the subjects announced in the title-page. It is a perfect reproduction, as if from architectural plans and specifications, of the several consecrated structures described in the Bible. It is entirely unique in its thoroughness and minuteness, leaving nothing whatever to conjecture, but founding all its details on the careful interpretation of specific texts. Such a work sheds invaluable light on biblical exegesis, and places us in imagination successively where all the great personages of the great religious epochs have stood. The author may find only a limited public to appreciate his labors; but the lover of Hebrew antiquity must needs rejoice in them and profit by them.

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27. — *Verse.* By H. W. P. Boston: H. W. Dutton and Son. 1862. 12mo. pp. 144.

We violate no enjoined secrecy in saying that this volume, so modestly issued, is by Rev. H. W. Parker, of New Bedford, a much-valued contributor to our pages, whose former collection of poetry we took pleasure in welcoming. The longest piece in this volume is a poem delivered before the Literary Societies of Bowdoin College in 1857, and then received with merited and distinguished favor. It confirms in the reading the unanimous verdict pronounced on its utterance. The other pieces are on a wide range of subjects, grave and gay, and they display at once an affluent culture, a large imaginative wealth, and a high order of poetical ability. We are the most pleased with a collection of forty Sonnets, under the somewhat fanciful title of "Vignettes." The sonnet is, no doubt, the most difficult form of verse, and its successful management is the surest test of genius. How well our author sustains the test may be seen from a specimen, — not the best, but taken with little preference where all are good. The subject is "Work."

"A hurried housewife is the busy Spring.
Too long she slept; and, now awake, ah me! —
A thousand things she has to oversee,
And flutters round, forever on the wing.
So many birds to feed in morning hours —
To wake and dress so many bedded flowers —
So many ruffled leaves to wash and wring,
Shake out and on the pendent branches string,
And then with sunbeams mop up all the showers,
And make her toilet for the coming June!
Yon robin sees her worrying warm about,
Pauses a moment in his idle tune,
And glances up and down, as if in doubt, —
Then whistles, more provoking than devout."

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28. — *Border Lines of Knowledge in some Provinces of Medical Science. An Introductory Lecture, delivered before the Medical Class of Harvard University, November 6th*, 1861. By OLIVER WENDELL HOLMES, M. D., Parkman Professor of Anatomy and Physiology. Boston: Ticknor and Fields. 1862. 12mo. pp. 80.

DR. HOLMES proposes in this lecture to indicate the point where knowledge ceases and ignorance begins in several of the departments of study on which his pupils are about to enter. We have not the space to follow him in his specifications, but will bear our unhesitating testimony that we have found ourselves more instructed by his ignorance than we often are by the knowledge of other men. When *he* traces the border-lines, they enclose a magnificently large area.

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29. — *Memoir, Letters, and Remains of* ALEXIS DE TOCQUEVILLE, Author of "Democracy in America." Translated from the French by the Translator of Napoleon's Correspondence with King Joseph. With large Additions. In Two Volumes. Boston: Ticknor and Fields. 1862. 16mo. pp. 430, 442.

THESE volumes contain, with the Memoir and numerous letters, several itineraries and short essays not published in the author's lifetime. We shall review them in full in our next number. De Tocqueville was one of the best, no less than of the most gifted men of his time, and his character presents a charming model, equally as to scholarly and intellectual habitudes, social graces, and Christian virtues. His correspondence extends over widely various realms of speculative and practical philosophy, all of which he had made his own by patient thought and diligent study.

30. — *The Law of Freedom and Bondage in the United States.* By JOHN CODMAN HURD, Counsellor at Law. In Two Volumes. Vol. II. Boston: Little, Brown, & Co. 1862. 8vo. pp. 800.

MR. HURD has completed in this volume a work which must take its place as the standard authority in the branch of municipal law to which it relates. It is strictly a legal work, committed to no theory, designed to sustain no individual phasis of opinion, but comprising an outline of the entire legislation, constitutional and statutory, of the general government and the individual States on the subject of slavery, with an analysis and criticism of all the legal decisions and judicial dicta growing out of such legislation. We have the promise, which we trust will be redeemed at an early period, of a review of the work by an accomplished legal scholar.

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31. — *The Works of* WILLIAM SHAKESPEARE. *The Plays Edited from the Folio of MDCXXIII., with Various Readings from all the Editions and all the Commentators, Notes, Introductory Remarks, a Historical Sketch of the Text, an Account of the Rise and Progress of the English Drama, a Memoir of the Poet, and an Essay upon his Genius.* By RICHARD GRANT WHITE. Volumes IX. – XII. Boston: Little, Brown, & Co. 1861. Small 8vo. pp. 443, 535, 511, 487.

WE need barely refer our readers to our review and repeated notices of the earlier volumes of this edition. It leaves nothing to be desired, whether in the thorough and careful editing of the text, the mass and quality of critical, historical, and biographical matter, or the mechanical execution. Of all American editions, it must hold not only the first place, but in many important particulars a place unshared and unapproached.

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32. — *Practical Christianity. A Treatise specially designed for Young Men.* By JOHN S. C. ABBOTT, Author of "The Mother at Home," "The Child at Home," "Life of Napoleon," "History of the French Revolution," &c. New York: Harper and Brothers. 1862. 16mo. pp. 302.

WE are not a little curious to know whether the conception of this work originated with the publishers or with the author. It reads like a book made to order, with reference to the actual or supposed condition of the book-market. It disappointed us grievously; for we had

our notions, too, of what the times demanded, and should have rejoiced to see a vigorous, earnest plea for religion based on the momentous crisis of our public affairs, and on the modification which it has wrought so extensively in the entire present and future of Young America. Religion, indeed, is always the same, always supreme and queenly in its claims; but there are times when Providence utters voices loud and solemn as those of the last trumpet, and, if there ever was such a season, this is one. But commonplaces, however grave, can hardly arrest attention at such an epoch; and this book is made up of commonplaces, of familiar anecdotes and extracts, of the staple materials of Sunday-school addresses and Conference-meeting speeches, good in their place if they had a little more unction and fervor, but too feeble and prosy for the stirring and renovating mission announced in the title-page. The method of the Abbott brothers has, we admit, great merits in some branches of didactic literature. Its perspicuity, its affluence of illustration, and its simplicity of style, leave no lurking-place for ambiguity, no room for misapprehension. In biography, history, and all departments of elementary knowledge, it wins the attention and sustains the interest of the young, and approaches nearer the voice of the living instructor than any other mode of book-teaching with which we are conversant. But there are some subjects which are belittled by the attempt to write down to the readers, and religion is one of those subjects. The aim of the religious teacher should be to draw out and to draw up to his theme the receptive, emotional, and active powers of his hearers and readers. A clear and adequate conception is often of much less worth than a mighty impulse. The impulse given, the conception will gradually take shape, yet not perfect shape, but dimensions which shall more and more grow into symmetry with the growth of the soul, to be completed only in the higher life. The great subjects of Christian faith and hope, if too soon and too readily comprehended, are liable to be outgrown with the expansion of the intellect, and to hold an inferior place in the maturity of its powers; and we cannot but feel that there is this danger in the too familiar and anecdotical treatment of holy mysteries.

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33. — *Christian Worship. Services for the Church, with Order of Vespers and Hymns.* New York: James Miller. 1862. 12mo. pp. 260, 108.

We are sorry not to like this book; for it has been made by personal friends of ours, from whose taste and judgment we dissent with unfeigned reluctance, while, were it not so, we should deem ourselves

unhappy not to be able to praise any honest attempt to furnish our churches with an appropriate manual of public worship. But this liturgy seems to us lackadaisical, euphuistic, fanciful, we had almost said fantastic, rather than devotional. True, there are many ancient collects and forms of prayer and praise; but they are so imbedded in what is brand new, and can, we are sure, never live to grow old, as to lose much of their venerable majesty and beauty. The whole has a play-meeting air about it, rather than the solemn dignity of a sanctuary service. With music of a highly artistical character, it would revive for a little while the (religious?) interest of a fashionable and worldly congregation; but it would never meet the wants of a body of devout worshippers. The hymns prescribed in the daily service, and those in the supplementary collection, are, for the most part, pretty devotional poems, such as could be pleasantly and profitably read or sung on a Sunday evening by a family circle; but we find among them very few of those "Songs of Zion" which are the favorite vehicles of devotion wherever the English language is the vernacular tongue. Indeed, almost all the lyrics which we had supposed could be wanting in no collection for the public service of religion are wanting here. We are by no means opposed to liturgical worship; but the very idea of a liturgy involves that of *common* prayer and praise, and if its order be new, its materials ought to have the hallowed associations of immemorial use, and especially ought to be free from the peculiarities of taste which mark an individual, a clique, or even a generation. The English Book of Common Prayer has all the characteristics that should belong to such a manual, and we can see no reason why congregations of other churches than the Episcopal may not abridge and adapt its forms to their use. Where there are no dogmatic reasons for rejecting portions of it, abridgment and a more flexible adaptation are, indeed, needed in the judgment of many loyal members of the church whose peculiar property it is. Where it cannot be conscientiously used without essential change, the King's Chapel Liturgy might meet the devotional needs of our churches, and, we believe, would do far more to educate and to feed the religious wants of the community, than can be done by any endeavor to gratify the craving for novelty, which tends only to degrade and secularize the service of Christian worship.

## NEW PUBLICATIONS RECEIVED.

Continuance in the Ministry. A Discourse delivered in the First Congregational Church, Braintree, Mass., July 3, 1861, by Rev. Richard S. Storrs, on the Fiftieth Anniversary of his Ordination. Boston. 1861. pp. 102.

One soweth, and Another reapeth. A Commemorative Sermon on the One Hundredth Anniversary of Christ Church, Cambridge, Mass., Tuesday, October 15, 1861. By the Rev. Nicholas Hoppin, D. D., Rector. Cambridge: Miles and Dillingham. 1861.

The First Unitarian Church of Buffalo: its History and Progress. Rev. Dr. Hosmer's Quarter-Centennial Discourses: The Parish, The Pulpit. An Account of the Quarter-Centennial Celebration, on Wednesday Evening, October 16, 1861. Buffalo. 1861.

Glorifying God in the Fires. A Discourse delivered in the Second Presbyterian Church, Albany, November 28, 1861, the Day of the Annual Thanksgiving in the State of New York. By William B. Sprague, D. D. Albany. 1861.

Thanksgiving. A Sermon preached in the Arch Street Presbyterian Church, on Thursday, November 28, 1861. By Charles Wadsworth. Philadelphia: T. B. Peterson and Brothers. 1861.

The Supernatural. A Discourse at the Installation of Rev. William Henry Channing as Pastor of the Unitarian Church in Washington, D. C., December 9th, 1861. By Rev. Henry W. Bellows, D. D. Washington. 1861.

Public Morals; or, The True Glory of a State. A Discourse delivered before the Executive and Legislative Departments of the Government of Massachusetts, at the Annual Election, Wednesday, Jan. 1, 1862. By Rev. William Rounseville Alger. Boston. 1862.

The Pulpit and Rostrum: Sermons, Orations, Popular Lectures, &c. Andrew J. Graham and Charles B. Collar, Reporters and Editors. No. 23. Providence in War: a Thanksgiving Discourse, by the Rev. S. D. Burchard, D. D., delivered at the Thirteenth Street Presbyterian Church, New York, November 28, 1861. — No. 25. The War for the Union: a Lecture, by Wendell Phillips, Esq., delivered in New York and Boston, December, 1861. — Nos. 26, 27. Three unlike Speeches, by William Lloyd Garrison of Massachusetts, Garrett Davis of Kentucky, Alexander H. Stephens of Georgia, — The Abolitionists, and their Relations to the War; The War not for Emancipation; African Slavery the Corner-Stone of the Southern Confederacy. — No. 28. The War: a Slave Union or a Free? Speech of Hon. Martin E. Conway, delivered in the House of Representatives, December 12, 1861. New York: E. D. Baker.

The Southern Rebellion and the War for the Union. A History of the Rise and Progress of the Rebellion, and Consecutive Narrative of Events and Incidents, from the First Stages of the Treason against the Republic down to the Close of the Conflict. Together with Important Documents, Extracts from Remarkable Speeches, &c., &c. Nos. 17, 18. New York: James D. Torrey.

Manual for Heavy Artillery, for the Use of Volunteers. New York: D. Van Nostrand. 1862.

Sanitary Commission, No. 40. A Report to the Secretary of War of the Operations of the Sanitary Commission, and upon the Sanitary Condition of the Volunteer Army, its Medical Staff, Hospitals, and Hospital Supplies. December, 1861. Washington. pp. 107.

On the Construction of Improved Ordnance, as proposed in a Letter to the Secretaries of War and of the Navy, and the Chiefs of the Bureaus of Engineers and of Ordnance, of the United States. By Daniel Treadwell, late Rumford Professor in Harvard College. Cambridge. 1862.

The Drift of the War. By Edward Buck. Boston: A. Williams & Co. 1861.

The Privilege of the Writ of Habeas Corpus under the Constitution. Philadelphia. 1862.

Remarks on Specie Reserves and Bank Deposits. By Francis Bowen, Alford Professor of Moral Philosophy and Political Economy in Harvard College. Communicated to the American Academy of Arts and Sciences, November 31, 1861. Cambridge. 1861.

A Letter to Mrs. ——— and other Loyal Women touching the Matter of Contributions for the Army, and other Matters connected with the War. By S. G. Howe. Boston: Ticknor and Fields. 1862.

The Connection between the Social and Political Condition of a People and the Mode of Holding and Cultivating their Lands. An Address before the Middlesex Agricultural Society at their Annual Cattle Show, Sept. 19, 1861. By Emory Washburn. Cambridge. 1862.

Letter to the Rev. Robert S. Candlish, D. D. By R. Anderson, D. D., Foreign Secretary of the American Board of Commissioners for Foreign Missions. Boston. 1862.

Library of Select Novels. No. 219. A Strange Story: a Novel. By Sir E. Bulwer Lytton, Author of "What will He do with It?" "My Novel," "The Caxtons," "Pelham," &c., &c. With Illustrations. New York: Harper and Brothers. 1862. pp. 199.

The Seven Sons of Mammon. By George Augustus Sala, Author of "Journey due North," &c. Boston: T. O. H. P. Burnham. 1862. pp. 212.

The Young Step-Mother; or, A Chronicle of Mistakes. By the Author of "The Heir of Redclyffe," "Heartsease," &c. In Two Volumes. New York: D. Appleton & Co. 1862. pp. 294, 307.

Ceremonies at the Dedication of the Bigelow Monument, Worcester, Massachusetts, April 19, 1861. Boston. 1861.

Thirty-Sixth Annual Report of the President of Harvard College to the Overseers, exhibiting the State of the Institution for the Academical Year 1860–61. Cambridge. 1862.

Report of a Committee appointed by the Massachusetts Historical Society on Exchanges of Prisoners during the Revolutionary War. Presented Dec. 19, 1861. Boston. 1861.

Actes de l'Académie Impériale des Sciences, Belles-Lettres, et Arts de Bordeaux. 3e Série. 22e Année. 1860. 3e Trimestre. Paris: E. Dentu. 1860. pp. 287 – 399.

Report of the Select Committee of the Society for Propagating the Gospel among the Indians and Others in North America. Presented at the Seventy-Third Annual Meeting, May 30, 1861. Boston. 1862.

January, 1862. Twelfth Annual Report of the Association for the Relief of Aged Indigent Females. Boston. 1862.

Portsmouth City Mission. Twelfth Annual Report. Portsmouth. 1862.

The Seventeenth Annual Report of the Minister at Large in Lowell to the Lowell Missionary Society. Lowell. 1862.

Ministry at Large. Twentieth Annual Report of the Ministry at Large in the City of Providence, presented and read at a Public Meeting held in the Westminster Congregational Church, Sunday Evening, January 26, 1862. By Edwin M. Stone. Providence. 1862.

Proceedings of the American Antiquarian Society, at the Annual Meeting, held in Worcester, Oct. 21, 1861. Boston. 1861.

Reports of the Trustees and Superintendent of the Butler Hospital for the Insane, presented to the Corporation at their Annual Meeting, January 22, 1862. Providence. 1862.

The Twelfth Annual Report of the Mission in the County Insane Hospital, and other Departments of Blockley. By Edward C. Jones, A. M. Philadelphia. 1860.

Eighth Annual Report of the Boston Board of Trade. Boston. 1862.

Interest of the State in the Health and Longevity of the People. Memorial of the Boston Sanitary Association to the Legislature of Massachusetts, asking for the Establishment of a Board of Health and of Vital Statistics. Boston. 1861.

On the Outline of the Head of the Comet of Donati, 1858. From the Proceedings of the American Academy, October, 1861. Cambridge. 1861.

Astronomical Notices. No. 28. Ann Arbor, December 20th, 1861.

A Brief Record of Events in Exeter, N. H., during the Year 1861, together with the Names of the Soldiers of this Town in the War. By Rev. Elias Nason. 1862.

Catalogue of the Officers and Students of the Meadville Theological School, for the Academical Year 1861 – 62. Meadville. 1862.

Chambers's Encyclopædia. A Dictionary of Universal Knowledge for the People, on the Basis of the latest Edition of the German Conversations-Lexicon. Illustrated by Wood Engravings and Maps. Parts 39 – 43. Vol. III. pp. 673 – 827. Vol. IV. 1 – 128.

The Way of Salvation. By a Layman. Boston: American Tract Society. 1862.

George Washington, the Soldier and the Christian. His Mottoes: "Deeds, not Words"; "For God and my Country." By Merle Vernon. Boston: American Tract Society. 1862.

Sketch of the Life and Character of George N. Briggs, late Governor of Massachusetts. Boston: American Tract Society. 1862.

The Soldier's Manual, or Scripture Readings, with Prayers, Hymns, and Reflections. Arranged for Public Service or Private Use amid the Perils and Privations of the Camp. Boston: American Tract Society. 1862.

Hints to Officers in the Army and Navy. By Merle Vernon. Boston: American Tract Society. 1862.

Lebendig oder todt? Eine Frage, an Jedermann. Boston: American Tract Society. 1862.

Ist es meines Vaters Brief? Boston: American Tract Society. 1862.

"Es ist den Menschen Gesetzt, einmal zu Sterben." Boston: American Tract Society. 1862.

A Text-Book of the History of Doctrines. By Dr. K. R. Hagenbach, Professor of Theology in the University of Basle. — The Edinburgh Translation of C. W. Buch, revised, with Large Additions from the Fourth German Edition and other Sources. By Henry B. Smith, D. D., Professor in the Union Theological Seminary of the City of New York. Volume II. New York: Sheldon & Co. 1862. 8vo. pp. 558.

The Christian Maiden. Memorials of Eliza Hessel. By Joshua Priestley. Slightly abridged from the Second London Edition. New York: Carlton and Porter. 1862. 16mo. pp. 357.

Prayers. By Theodore Parker. Boston: Walker, Wise, & Co. 1862. 16mo. pp. 200.

Ethical and Physiological Inquiries, chiefly relative to Subjects of Popular Interest. By A. H. Dana. New York: Charles Scribner. 1862. 12mo. pp. 308.

Young Benjamin Franklin; or, The Right Road through Life. A Story to show how young Benjamin learned the Principles which raised him from a Printer's Boy to the First Embassador of the American Republic: a Boy's Book on a Boy's own Subject. By Henry Mayhew, Author of "The Peasant-Boy Philosopher," "The Wonders of Science; or, Young Humphrey Davy," &c., &c. With Illustrations by John Gilbert. New York: Harper and Brothers. 1862. 16mo. pp. 561.

The True Story of the Barons of the South; or, The Rationale of the American Conflict. By E. W. Reynolds, Author of "The Records of Bubbleton Parish," &c., &c. Boston: Walker, Wise, & Co. 1862. 16mo. pp. 240.

The Works of Francis Bacon, Baron of Verulam, Viscount of St. Albans, and Lord High Chancellor of England. Collected and Edited by James Spedding, M. A., of Trinity College, Cambridge; Robert Leslie Ellis, M. A., late Fellow of Trinity College, Cambridge; and Douglas Denon Heath, Barrister-at-Law, late Fellow of Trinity College, Cambridge. Volume III. Boston: Brown and Taggard. 1862. Small 8vo. pp. 502.

The Constitutional History of England since the Accession of George Third, 1760 – 1860. By Thomas Erskine May, C. B. In Two Volumes. Volume I. Boston: Crosby and Nichols. 1862. Small 8vo. pp. 484.

Moral and Religious Quotations from the Poets, topically Arranged, com-

prising Choice Selections from Six Hundred Authors. Compiled by Rev. William Rice, A.M. Third Edition. New York: Carlton and Porter. 1861. 8vo. pp. 338.

The Anabasis of Xenophon, chiefly according to the Text of L. Dindorf, with Notes; for the Use of Schools and Colleges. By John J. Owen, D.D., LL.D., formerly Principal of the Cornelius Institute, and now Professor of the Latin and Greek Languages and Literature in the Free Academy in New York City. Revised Edition. New York: Leavitt and Allen. 1862. 12mo. pp. 436.

The Stokesley Secret; or, How the Pig paid the Rent. By the Author of "The Heir of Redclyffe," &c. New York: D. Appleton & Co. 1862. 12mo. pp. 245.

Lilliesleaf: being a Concluding Series of Passages in the Life of Mrs. Margaret Maitland, of Sunnyside. Written by herself. Boston: T. O. P. Burnham. 1862. 12mo. pp. 398.

Pilgrims of Fashion. A Novel. By Kinahan Cornwallis. New York: Harper and Brothers. 1862. 12mo. pp. 337.

Dinah. New York: Charles Scribner. 12mo. pp. 466.

A Treatise on Ordnance and Naval Gunnery, Compiled and Arranged as a Text-Book for the U. S. Naval Academy. By Lieutenant Edward Simpson, U. S. Navy. Second Edition, Revised and Enlarged. New York: D. Van Nostrand. 1862. 8vo. pp. 493.

The Army Officer's Pocket Companion, principally designed for Staff Officers in the Field. Partly Translated from the French of M. de Rouvre, Lieutenant-Colonel of the French Staff Corps, with Additions from Standard American, French, and English Authorities. By William P. Craighill, First Lieutenant U. S. Corps of Engineers, Assistant Professor of Engineering at the U. S. Military Academy. New York: D. Van Nostrand. 1862. 12mo. pp. 314.

Infantry Tactics, for the Instruction, Exercise, and Manœuvres of the Soldier, a Company, Line of Skirmishers, Battalion, Brigade, or Corps d'Armée. By Brig.-Gen. Silas Casey, U. S. Army. Vol. I. Schools of the Soldier and Company; Instructions for Skirmishers and Music. Vol. II. School of the Battalion. Vol. III. Evolutions of a Brigade and Corps d'Armée. New York: D. Van Nostrand. 1862. 12mo. pp. 279, 279, 183.

The Picture Lesson-Book. Part I. Boston: American Tract Society. 1862.

# INDEX

TO THE

## NINETY-FOURTH VOLUME

OF THE

# North-American Review.


*Abbot*, H. L., see *Humphreys*.

*Abbott*, J. S. C., his Practical Christianity, noticed, 568.

*Allingham*, William, his Poems, noticed, 554.

*Andersson*, Charles John, his Okavango River, reviewed, 174 — strictures on his style, 175 — his sporting adventures, 176 — his mournful meditations, 177 — extent of his journeys, 178 — character of the region which he traversed, 179 — and of the people by whom it is inhabited, *ib.* — results of his explorations, 180.

*Arnold*, Matthew, his Lectures on translating Homer, reviewed, 108 — his advice to the translators, cited, 114 — his translation of Hector's reply to Andromache, cited, 121.

*Asbury*, Francis, his Journals, reviewed, 41.

*Barrows*, L. D., his edition of Holyoake's Rudiments of Public Speaking and Debate, noticed, 561.

*Bartol*, C. A., his Our Sacrifices, reviewed, 153 — his sketch of the life of Lieutenant W. L. Putnam, quoted, 167, *et seq.*

*Beard*, John R., his Progress of Religious Thought as illustrated in the Protestant Church of France, noticed, 258.

*Berlepsch*, H., his Alps, or Sketches of Life and Nature in the Mountains, noticed, 554.

*Blockade*, definition of, see *United*.

*Boston* Review, The, noticed, 278.

*Boyd*, A. K. H., his Leisure Hours in Town, noticed, 555.

*Browne*, Sir Thomas, his Religio Medici and Other Papers, noticed, 282 — article on his life and writings, 371 — merits of Mr. Fields's selection from his miscellaneous writings, *ib.* — and of Mr. Wilkin's edition of his complete Works, 372 — his early life, 373 — he establishes himself as a physician at Shipden Hall, near Halifax, *ib.* — publication of the Religio Medici, 374 — character and contents of the essay, 375 — extent of his attainments, 376 — Sir Kenelm Digby's strictures on the essay, *ib.* — the charge of an atheistical tendency in it examined, 377 — publication of the Pseudodoxia Epidemica, 378 — character of the work, *ib.* — its style, 379 — publication of the Urn-Burial, and of The Garden of Cyrus, 380 — his belief in witchcraft, 381 — he is knighted by Charles II., 382 — his death, *ib.* — posthumous publication of a volume of Miscellany Tracts, 383 — and of his Letter to a Friend, *ib.* — other writings published after his death, 384 — want of interest in his private correspondence, *ib.* — his personal character and habits, 385 — different judgments as to the worth of his writings, 386 — his place in literature, 387.

*Browning*, Elizabeth Barrett, article on, 338 her womanly character, *ib.* — her literary style, 339 — its faults, 340 — her loyalty to truth, 341 — moral difference between the sexes, 342 — difference between the masculine and feminine mind, 344 — the want of philosophy in her Aurora Leigh, 345 — the subjectivity of her writings, 346 her Drama of Exile examined, 347 *et seq.* — her Casa Guidi Windows examined, 350 *et seq.* — her rank as a poet, 352 — her Sonnets from the Portuguese, 353 — her first acquaintance with Robert Browning, 354 — concluding remarks, 355.

*Bulkley*, Edwin A., his Wars and Rumors of War, reviewed, 153 — its merits, 166 cited as to the alacrity with which the town of Groton, Massachusetts, responded to the President's call for volunteers, 167, note.

*Carlyle*, John Aitken, his edition of Irving's History of Scottish Poetry, noticed, 551.

*Champlin*, J. T., his First Principles of Ethics, noticed, 279.

*Cheap* Cotton by Free Labor, a pamphlet, reviewed, 153 — theory maintained in it, 173.

*Christian* Worship, noticed, 569.

*Cilicia*, article on, 309 — geographical position of the province, 312 — its physical aspect, 313 — unwholesomeness of its air,

314 — its mineral wealth, *ib.* — its heterogeneous population, 315 — languages spoken by different portions of the inhabitants, 317 — number of religions professed by them, *ib.* — its trade, 318 — its agricultural products, 319 — revenue derived from the province, *ib.* — the lazaretto of Mersina, 321 — a marriage in Tarsus, 322 — a baptism, 323 — description of the city, 324 — its ancient monuments, 325 — remains of the Byzantine, Armenian, and Moslem ages, 326 — objects of interest in the neighborhood, 327 — the ruins of Eleusa and Corycas, 328 — and of Seleucia, 329 — description of Adana, 330 — and of the town of Sis, 331 — tombs of the Patriarchs, 332 — relics and other treasures in the convent of Sis, 333 — description of Anazarbus, *ib.* — of Missis, 334 — and of Aias, the ancient Egea, 335 — travels of M. Langlois in the Taurus mountains, 336 — his account of an Armenian monk, 337.

*Coleridge*, S. T., his Hints towards the formation of a more Comprehensive Theory of Life, reviewed, 136.

*Collier*, Mary A., her Memoir of Thomas Fowell Buxton, noticed, 273.

*Collins*, T. Wharton, his Humanics, reviewed, 136.

*Constitutional* Law, article on, 435 — importance of considering anew the principles of constitutional law, in order to pass safely through the dangers of the present hour, 436 — interest of the civil history of the United States from the Declaration of Independence to the adoption of the Constitution, 437 — inadequacy of the old Confederation for the purposes which it was designed to subserve, *ib.* — formation and adoption of the Constitution, 438 — improbability of finding wiser or more patriotic men to frame a new Constitution, 439 — diligence with which constitutional law has been studied, 441 — adoption of the Declaration of Independence, 442 — formation of the union under the Articles of Confederation, *ib.* — difference between the Declaration of Independence and these articles, 443 — adoption of the Ordinance of 1787, 444 — relation of the Constitution to the question of the existence and extension of slavery, *ib.* — its design, 445 — how it was adopted and ratified, *ib.* — how it is to be construed, *ib.* — it constituted a nation, 446 — provisions in it with regard to slavery, *ib.* — the acquisition and government of new territory, 447 — all power in the territory not belonging to the United States at the formation of the Constitution is derived from Congress, 448 — authority and duty of Congress to suppress insurrections, 449 — examination of the question whether there can be a confiscation of slaves as a punishment for treason, except for the life of the master, *ib.*, note — a military commander has no authority to emancipate slaves, except as a part of his military operations, 450 — how the condition of the slaves is affected by the operation of martial law, 452 — examination of certain misstatements of the views maintained in the article on Habeas Corpus and Martial Law, in the number for October, 1861, 453, note — a civil war cannot, on the part of the government assailed, be a war of conquest, 455 — the United States have no right under the Constitution to reduce any one of the States to a territorial condition, 456 — the problem as to the proper course to be adopted in reorganizing the State governments after the suppression of the insurrection does not press for an immediate solution, 457 — resolutions introduced into the United States Senate by Mr. Charles Sumner, 458 — strictures on his first resolution, 459 — its inconsistency, 460 — its absurdity, 461 — examination of his third and fourth resolutions, 462 — the Revolution did not change the local laws of the Colonies, 463.

*Conway*, M. F., his Speech in Congress, reviewed, 435.

*Criminal* Procedure, French and German, article on, 75 — imperfections of the Common Law, *ib.* — difficulties in the way of effecting a change in the system, 76 — recent reforms in the practice of the English courts, *ib.* — separation of legal and equitable proceedings in the English courts, 77 — fixedness of professional opinion among lawyers, 78 — strength of attachment to the system of jury trials, *ib.* — dangers to be feared from making the judiciary dependent on popular election, 79 — impartiality with which justice has been administered in this country, 81 — elementary difference between the Roman Law and the English Common Law, 82 — spirit of the Civil Law, 83 — the use of torture as a means of eliciting truth, 84 — excellence of the *Code Napoléon*, 85 — the German penal codes regarded as the purest type of the continental criminal law, *ib.* — denial of the right of bail under the German judicial process, 87 — evils resulting from the American practice in this respect, 88 — division of judicial officers under the Bavarian code, 89 — imperfections of the system of the Common Law in preparing criminal cases for trial, 90 — description of the system pursued under the German codes, 91 — classification of the witnesses, 92 — nature of the evidence drawn from them, 93 — manner of conducting the examination, 94 — skill acquired by the judicial officers in conducting such investigations, 95 — adoption of the practice of confronting the prisoner and the witnesses, 96 — confessions extracted from the prisoners under this system, 97 — objections to the system, 98 — trial of the prisoner, 99

— employment of medical experts as assessors when the defence is based on a plea of insanity, 100 — advantages of this system, 101 — contrast between an English and a German trial, 102 — reorganization of the system of criminal procedure in France, 103 — manner of conducting proceedings in the French courts, 104 — examination of witnesses, 105 — examination of the accused, 106 — strictures on the French system, 107.

*Cross-Bearer*, The, A Vision, noticed, 559.

*Curtis*, George W., his memoir of Theodore Winthrop, noticed, 267.

*Dall*, Caroline H., her Woman's Rights under the Law, noticed, 279.

*De Tocqueville*, Alexis, Memoir, Letters, and Correspondence of, noticed, 567.

*Duer*, W. A., his Lectures on the Constitutional Jurisprudence of the United States, reviewed, 433.

*Dulcken*, H. W., his translation of Madame Ida Pfeiffer's Last Travels, reviewed, 181 — its merits, *ib.*

*Ellicott*, C. J., his Historical Lectures on the Life of our Lord Jesus Christ, noticed, 277 — his Commentary, Critical and Grammatical, on St. Paul's Epistle to the Ephesians, noticed, 561.

*Federalist*, The, new edition of, reviewed, 435.

*Feuerbach*, A. R. von, his *Actenmassige Darstellung Merkwürdiger Verbrechen*, reviewed, 75 — his *Lehrbuch des gemeinen in Deutschland gültigen peinlichen Rechts*, reviewed, *ib.* — sketch of his life, 85.

*Fields*, James T., his edition of Sir Thomas Browne's Religio Medici and Other Papers, noticed, 282 — reviewed, 371 — its merits, *ib.*

*Flint*, Charles L., his edition of Harris's Treatise on some of the Insects Injurious to Vegetation, noticed, 564.

*Food*, The Adulterations of, article on, 1 — simplicity with which men lived in the earliest ages, 2 — introduction of the art of cooking, 3 — of narcotics and mineral poisons, *ib.* — extent to which the adulteration of food is carried, 4 — difficulty in detecting adulterations by chemical analysis, 5 — this difficulty obviated by recent improvements in the microscope, 6 — perfection to which microscopic investigations have been carried, 7 — motives of the editor of the London Lancet in instituting an Analytical Sanitary Commission, 8 — thoroughness with which its investigations were conducted, 9 — advantages resulting from its exposures, 10 — elements of nutrition contained in bread, 11 — proportions of gluten in different kinds of flour, 12 — chemical constituents of wheat bread when baked, 13 — great loss of phosphoric acid in the process of bolting flour, 14 — fermentation of bread, 15 — adulteration of bread with alum, *ib.* — extent to which this adulteration is practised in Boston, 16 — different ways of raising bread without fermentation, 17 — how the adulteration of milk may be detected, 18 — swill-milk, 19 — manner of adulterating cheese and butter, 20 — common sources of impurity in sugar, 21 — adulterations of tea, 22 — fabrication of spurious tea, 23 — adulteration of coffee, 24 — injurious effects from the use of chiccory, 25 — adulteration of cocoa, 26 — of arrowroot, 27 — and of oatmeal, *ib.* — frauds in the manufacture of patent articles of food and diet, 28 — adulterations of vinegar, 29 — adulterated vinegar much used in the manufacture of pickles, 30 — adulterations of spices and of various condiments, 31 — and of potted meats, 32 — adulterations of tobacco and snuff, 33 — poisonous character of the colors used in the manufacture of confectionery, 34 — cases of poisoning by eating colored confectionery, 35 — great adulteration of drugs and medicines, 36 — sophistication of laudanum, 37 — evils arising from adulterations, 38 — beneficial effects of the exposures by the Lancet Commission, 39 — difficulty of preventing adulterations, 40.

*Gasparin*, Agenor de, his *Les Etats Unis en* 1861, reviewed, 408 — character of the book, 421 — he regards the present struggle as the evidence of new life and the promise of renewed strength, 422 — his freedom from prejudice, 423 — his detestation of slavery, 424 — topics treated of by him, 425 — his views as to the probable consequences of the crisis, 426 — as to the ruin which would overtake the Confederates if they were to carry out their schemes, 427 — as to the relative positions and advantages of the North and the South, 428 — as to the coexistence of the white and black races after emancipation, 429 — his warning to England against espousing the cause of the rebels, 430.

*Gladstone*, W. E., merits of his translations from Homer, 543.

*Gordon*, Lady Duff, her translation of Von Sybel's History and Literature of the Crusades, noticed, 548.

*Gosse*, P. H., his Romance of Natural History, noticed, 263.

*Green*, Joseph Henry, his Vital Dynamics, reviewed, 136.

*Harris*, T. W., his Treatise on some of the Insects Injurious to Vegetation, noticed, 564.

*Hassall*, Arthur Hill, his Food and its Adulterations, reviewed, 1 — circumstances which led to its preparation, 8.

*Hauréau*, B., his *Singularités Historiques et Littéraires*, reviewed, 125 — his ripe scholarship, 126.

*Henry*, C. S., his Patriotism and the Slaveholders' Rebellion, reviewed, 153 — its merits, 169 — cited as to the change of his opinions relative to the designs of the rebels and the policy of emancipation, 170 — his Writings, reviewed, 525 — importance of the place which periodical essays and occasional discourses hold in American literature, *ib.* — they afford a standard for judging of the literary character of the period in which they are produced, 526 — harmony between the world of thought and the world of action, 528 — strength of the impression produced on a young man at college by the first oration before his society, 529 — works published by Dr. Henry, 531 — form regarded as the characteristic exponent of thought, 532 — the journey of Thought and Style, 533 — merits of Dr. Henry's style, 534 — character of his mind, 535 — his delineation of Dr Oldham in the book bearing that title, 536 — the book considered as the production of a practised teacher, 538 — his abhorrence of reverence as a cloak, *ib.* — want of reverence in the American character, 539 — merits of Dr. Henry's College Addresses, 540 — tribute of respect to President Felton. *ib.*

*Hickey*, W., his work on the Constitution of the United States, reviewed, 435.

*Holmes*, Oliver Wendell, his Songs in Many Keys, noticed, 268 — his Border Lines of Knowledge in some Provinces of Medical Science, noticed, 567.

*Holyoake*, G. J., his Rudiments of Public Speaking and Debate, noticed, 561.

*Homer*, On translating, article on, 108 — close connection of the different parts of the story of the Iliad, 109 — skill with which the characters are drawn, 110 — illustrated in the delineation of Achilles, *ib.* — uniform perfection of the rhythm, 111 — resources which Homer had at his command, 112 — impossibility of dividing the authorship of the poem or resolving the personality of Homer, 113 — Mr. Arnold's advice to the translator of Homer, 114 *et seq.* — influence of the poet on European literature, 116 — circumstances which have rendered it difficult to translate his poems into the modern languages, 117 — character of the different translations into English, 118 — recent attempts to translate the poems into English hexameters, 119 — remarks on them, 120 — Mr. Arnold's translation of Hector's reply to Andromache, cited, 121 — qualifications indispensable to a translator of Homer, *ib.* — merits of Dr. Penon's essay on the English translations, 122 — strictures on some of his criticisms, 123 — he says nothing of any of the attempts at English hexameters, 124 — nor of Pope's failure to reproduce the fidelity of Homer to nature, *ib.*

*Horsford*, E. N., his Theory and Art of Bread-Making, reviewed, 1.

*Hoskins*, Thomas H., his What we Eat, reviewed, 1.

*House*, Erwin, his Missionary in Many Lands, noticed, 563.

*Howth*, Margret, noticed, 553.

*Hudson*, Charles, his History of Marlborough, noticed, 547.

*Humphreys*, A. A., and H. L. Abbot, their Report upon the Physics and Hydraulics of the Mississippi River, reviewed, 486.

*Hurd*, J. C., his Law of Freedom and Bondage in the United States, noticed, 568.

*Inebriate* Asylum, The New York State, article on, 387 — auspices under which it was founded, 388 — importance of the application of science to charity, 389 — worth of this institution as a philanthropic enterprise, 390 — the instinctive craving for physical excitement, 391 — prevalence of intemperance, 392 — difficulty of dealing with the evil, 393 — design of the institution, 394 — description of Binghamton, the place where it is located, 395 — beauty of the surrounding country, 396 — character of William Bingham, 397 — sketch of his life, 398 — his estate on the Susquehanna, 400 — favorable position of Binghamton, 401 — special fitness of Dr. Turner to be the head of such an institution, 402 — his personal exertions in securing its successful commencement, 403 — description of the estate belonging to it, 405 — and of the building, 406 — its financial condition, 407.

*Irish* of the Past, The, article on, 125 — Irish Schools of Philosophy and Literature in the sixth century, 127 — Ireland the last refuge of letters, 128 — labors of the Irish missionaries, 129 — heretical opinions of the old Irish monks, 130 — the monastic rule of St. Columban, *ib.* — character of St. Virgil, Bishop of Salzburg, 131 — Irish grammarians in the eighth century, 132 — works of Clement, 133 — character and opinions of the Irish philosophers in the ninth century as exhibited in the works of Scotus Erigena, 134 — his denial of the Catholic philosophy and theology, 135.

*Irving*, David, his History of Scottish Poetry, noticed, 551.

*Karr*, Alphonse, his *En Fumant*, noticed, 559.

*Lamé*, Emile, his *Julien l'Apostat*, noticed, 556.

*Langlois*, Victor, his *Voyage dans la Cilicie et dans les Montagnes du Taurus*, reviewed, 309 — merits of the work, 310 — its contents, 311 — his description of an Armenian Monk, 337.

*Larrabee*, W. C., his Asbury and his Coadjutors, reviewed, 41.

*Lempriere*, Charles, his The American Crisis, reviewed, 408 — ignorance and vul-

garity of the book, 409 — examples of these qualities, 410.
*Life*, Unity of, article on, 136 — life considered as an "idea," 137 — harmony of this view with the doctrine of a correlation of forces, 138 — importance of this view of life, 139 — the attributes of the Creator expressed and typified everywhere in nature, 140 — man regarded as the true microcosm, 141 — in what his perfectness consists, 142 — sources from which opposition to this view comes, 143 — this doctrine confirmed by recent discoveries in science, 144 — unanimity of statement as to this doctrine among the great spiritual seers, 145 — this view not open to the charge of pantheism, 147 — it excludes the notion of an identification of the Creator and the objects which he has made, 148 — relation between the spiritual organization of man and the spiritual world, 149 — how the works of God must be studied, 150 — the recognition of the unity of life opposed to a system of dead laws and to an arbitrary interposition to remedy special defects, 151 — remarks on the Darwinian theory of a successive development of the different species, 152.
*Little*, George B., a Memorial of Closing Scenes in the Life of, noticed, 275.
*Lockhart*, William, his Medical Missionary in China, noticed, 264.
*Lothrop*, S. K., his Causes, Principles, and Results of the Present Conflict, reviewed, 153 — its character, 165 — cited as to the justice of the cause in defence of which the government is engaged, *ib.*
*Loyalty*, article on, 153 — perversion of the word from its true signification, 154 — man-worship in this country, 155 — want of men of the first rank in political and military life, *ib.* — grounds of loyalty in this country, 156 — absurdity of the claim that there is a right of secession under the Constitution, 157 — revolution a necessity rather than a right, *ib.* — what is the question at issue at the present time, 158 — strength of our government, 159 — security of liberty in this country, 160 — capacity of adaptation in our Constitution, 161 — how loyalty in this country is to be manifested, 162 — relation of the American pulpit to the present crisis, 163 — and to previous wars, 164.
*Lyon*, Nathaniel, his Last Political Writings, noticed, 274.

*Maclay*, R. S., his Life among the Chinese, noticed, 563.
*Martin*, Theodore, his translation of the *Vita Nuova* of Dante, noticed, 552.
*Mason*, James M., and John Slidell, their seizure on board the steamer Trent, see *United*.
*McClellan*, George B., his Armies of Europe, noticed, 270.
*Methodist* Clerical Biography, article on, 41 — distinguishing characteristics of the Methodist pulpit, *ib.* — beginning of the Methodist movement in America, 42 — character of the early preachers, 43 — early experience of Francis Asbury, the Pioneer Bishop, 44 — difficulties which he had to encounter, 45 — his scanty supply of the necessaries of life, 46 — growth of the denomination during his episcopacy, *ib.* — activity of the missionaries illustrated by an anecdote of Richmond Nolley, 47 — anecdotes of Barnabas McHenry, 48 — fierce opposition encountered by Freeborn Garrettson, 49 — trial of Jacob Gruber for preaching against slaveholding, 50 — smallness of the salaries received by the missionaries, 51 — sketch of the life of Elijah R. Sabine, *ib.* — effects produced by the preaching of these men, 52 — their wit and humor, 53 illustrated by the introduction to a sermon by Jacob Gruber, 54 — and by an anecdote of Hope Hull, 56 — notice of Billy Hibbard, *ib.* — ready wit of Jesse Lee, the early apostle of New England Methodism, 57 — intellectual character of these men, 58 — their self-dependence illustrated in the life of Orange Scott, 60 — and in that of Martin Ruter, 61 — character of Bishop Bascom, 62 — characteristics of their eloquence, 63 — Judge McLean's sketch of Bishop McKendree's oratory, 64 — sketch of John Collins of the Ohio Conference, 65 — and of James Russell of the South Carolina Conference, 66 — skill of George Dougherty of South Carolina as an impromptu preacher, 68 — eloquence of John Summerfield, 69 — of John N. Maffit, 70 — and of George G. Cookman, *ib.* — Bishop Bascom's eloquence, 71 — sketch of Stephen Olin, 72 — impression produced by his preaching, 73 — notice of Wilbur Fisk, 74.
*Milburn*, William Henry, his Rifle, Axe, and Saddlebags, reviewed, 41.
*Missions*, Foreign, Memorial Volume of the American Board of Commissioners for, noticed, 274 — reviewed, 463 — growth of the organization, 464 — what it has effected, *ib.* — origin of the Baptist Missionary Union, 465 — merits of Dr. Anderson's Memorial Volume, 466 — state of the Church at the commencement of the missionary enterprise, *ib.* — impulse given to other philanthropic efforts, 467 — characters developed by it, 468 — notice of Dr. Samuel Worcester, 469 — of Jeremiah Evarts, *ib.* — of Dr. Wisner, 470 — and of Dr. Armstrong, 471 — adaptation of these men to their work, *ib.* — high character of the eloquence called out by the missionary enterprise, 472 — Dr. Hopkins's Semi-Centennial Discourse cited in illustration of this quality, 473 — services of the missionaries to learning and science, 475 — the missionary must make himself acquainted with the history and

condition of the race which he hopes to benefit, 476 — importance of his contributions to the science of *humanics*, 477 — aid derived from the labors of the missionaries in the interpretation of the Bible, 478 — their contributions to ecclesiastical history, *ib.* — and to geography, 479 — assistance derived from Rev. Eli Smith in the preparation of Robinson's Biblical Researches, 480 — extent of the publications of the American Board, 481 — efficiency of the preliminary work performed by it in Christianizing Pagan countries, 482 — conversion of the Indian tribes of North America, 483 — account of the mission to the Sandwich Islands, 484 *et seq.*

*Mississippi* River, The, article on, 486 — importance of the question of protection against overflow, 487 — grant of the federal government for this purpose, 488 — origin of the Delta Survey, *ib.* — ability exhibited by the officers placed in charge of it, 489 — general character of their report, 490 — subjects treated of in it, *ib. et seq.* — description of the banks through which the river runs, 493 — their form, 494 — geological character of the bottom of the river, 495 — its age, 496 — bearings of the discoveries as to the character of the river bed, 497 — caving in of the banks, *ib.* — slope of the water surface, 498 — range of level between high and low water, 499 — different stages of the river, 500 — its annual discharge, 501 — it is undercharged with sediment, 502 — mean temperature of the air and water, 503 — description of the flood of 1858, *ib.* — losses occasioned by the floods, 504 — amount of office work performed by the Survey, 505 — method of determining the daily discharge of the river, 506 — exactness of the formulæ used, 507 — different ways of protecting the bottom lands against overflow, 508 — effect of cut-offs, *ib.* — objections to diverting tributaries, 508 — and to the plan of constructing reservoirs, 509 — immense surface which would be required for this purpose, 510 — objections to the plan of making new outlets, 511 — advantages to be derived from the construction of levees, 512 — their cost, 513 — value of the land which would be rendered available by their construction, 514 — description of the Delta, 515 — geological history of the river, 516 — slow yearly growth of the new land into the gulf, 517 — description of the bar, 518 — theory of bar formation, 519 — necessity of an annual appropriation to deepen the mouths of the river, 520 — different plans for increasing the excavating power of the current, 521 — — importance of the two problems of the protection of the valley from overflow and of the improvement of navigation by deepening the mouths, 522 — lessons drawn from the examination of this subject, 523 — importance of the services of the officers of the regular army of the United States in planning or constructing works of internal improvement, 524.

*Montague*, Lady Mary Wortley, article on, 289 — her beauty as a child, 290 — her early education, 291 — her letter to Anne Wortley describing her studies, 292 — her correspondence with Edward Wortley, *ib.* — her first letter to her husband after their marriage, 293 — she stimulates her husband's ambition, 294 — and accompanies him on his Turkish embassy, 295 — her letters from Vienna, *ib.* — her proficiency in the Eastern dialects, 297 — her return to England, *ib.* — she introduces inoculation for the small-pox, 298 — her quarrel with Pope, 299 — she composes a sarcastic epistle to him in retaliation for his attack on her, 300 — she makes sport of Lady Rich, 301 — her unpopularity in England, 302 — she separates from her husband, 303 — her letters from the Continent to her daughter, 304 — her letter on the death of Lady Bute's son, quoted, 305 — her advice as to the education of her grandchildren, *ib.* — she returns to England, 306 — her death, 307 — compared with Madame de Sévigné, 308.

*Montrose* and other Biographical Sketches, noticed, 284 — reviewed, 356 — its defects of style, 357.

*Montrose*, James Graham, Marquis of, article on, 356 — his early political and religious opinions, 357 — comparison of Montrose and Falkland, 358 — change in the political opinions of the Marquis, 359 — character of his letter On Sovereign Power, 360 — he holds a conference with Alexander Henderson, 361 — and finally espouses the king's cause, *ib.* — he gains the battle of Tippermuir, 362 — composition of his army, *ib.* — his skill as a military leader, 363 — rapidity of his movements, 364 — he gains the battle of Inverlochy, 365 — and the battles of Aulderne and Kilsyth, 366 — decline of his fortunes, 367 — he makes his escape to the Continent, and subsequently returns to Scotland, 368 — he is taken prisoner and executed, *ib.* — his personal character, 369 — contrasted with that of Claverhouse, *ib.*

*Moore*, Frank, his Rebellion Record, noticed, 266.

*Newman*, Francis W., his Homeric Translation in Theory and Practice, noticed, 541.

*Oersted*, Hans Christian, his *Neue Beiträge zu dem Geist in der Natur*, reviewed, 136.

*Oliver*, Andrew, his Translation of the Syriac Peshito Version of the Psalms of David, noticed, 276.

*Olmsted*, Frederick Law, his Cotton Kingdom, noticed, 272.

*Paine*, T. O., his Solomon's Temple, noticed, 566.
*Parker*, H. W., his Verse, noticed, 566.
*Passow*, Arnoldus, his Τραγούδια Ρωμαΐϊκα, noticed, 545.
*Pauli*, Reinhold, his Pictures of Old England, noticed, 262.
*Penon*, David Georgius, his *Versiones Homeri Anglicæ inter se Comparatæ*, reviewed, 108 — its scholarly character, 122 — strictures on, 123.
*Pereira*, Jonathan, his Treatise on Food and Diet, reviewed, 1.
*Pfeiffer*, Ida, her Last Travels, reviewed, 181 — her description of the Queen of Madagascar, *ib.* — her account of the island, 182 — her observations on the social condition and habits of the people of Tamatavé, 183 — her journey to Tananariva, the capital of the island, 184 — further observations on the condition of the natives, 185.
*Porter*, James, his Commonplace Book, noticed, 562.
*Poynting*, T. E., his Glimpses of the Heaven that lies about us, reviewed, 136.
*Psalms*, The Book of, in Hebrew and English, arranged in Parallelism, noticed, 278.
*Putnam*, Mrs. Mary L., her Record of an Obscure Man, noticed, 283 — her Tragedy of Errors, noticed, 565.

*Rawle*, William, his View of the Constitution of the United States of America, reviewed, 435 — he recognizes the right of secession, 439.
*Rebellion*, The American, English, and French Views of, article on, 408 — difference between the prevailing sentiment in England and France on this subject, *ib.* — character of Mr. Lempriere's book on The American Crisis, 409 — and of Mr. Spence's book on The American Union, 411 — hasty judgments of the latter as to the effects of our political institutions on the national character, 416 — his inquiry into the causes of the rebellion, 417 — his blunders and misstatements as to the conditions of the present struggle, 418 — divided duty which Englishmen see in this crisis, 420 — character of M. de Gasparin's book, 421 — he regards the present struggle as the evidence of new life and the promise of renewed strength, 422 — his detestation of slavery, 424 — his views as to the probable consequences of the present crisis, 426 — as to the ruin which would overtake the Confederates if they were to carry out their schemes, 427 — as to the relative positions and advantages of the North and the South, 428 — as to the coexistence of the white and black races after emancipation, 429 — his warning to England against espousing the cause of the rebels, 430 — variance which has always existed between the French and English views in regard to the United States, 431 — failure of Englishmen to understand our institutions, 432 — superiority of the French writers on the United States, 433 — lessons to be learned from the present crisis, *ib.* — disappointment in this country at the policy adopted by England, 434 — good effects of this disappointment, 435.
*Rejected* Stone, The, or Insurrection *vs.* Resurrection in America, a pamphlet, reviewed, 153 — its characteristics, 173.
*Robbins*, R. D. C., his edition of Stuart's Commentary on Ecclesiastes, noticed, 560.

*Sand*, George, her *Evenor et Leucippe*, noticed, 557.
*Scott*, George Gilbert, his Gleanings from Westminster Abbey, noticed, 550.
*Scott*, Sir Walter, his Tales of a Grandfather, noticed, 269.
*Sergeant*, Thomas, his Constitutional Law, reviewed, 435.
*Simon*, Jules, his *L' Ouvrière*, noticed, 259.
*Smith*, George, his Ten Weeks in Japan, noticed, 263.
*Spectacles* for Little Eyes, noticed, 283.
*Spence*, James, his The American Union, reviewed, 408 — character of the book, 411 — his condemnation of the rule excluding members of the Cabinet from a place in Congress, 415 — his hasty judgments as to the effects of our political institutions on the character of the people, 416 — his inquiry into the causes of the rebellion, 417 — his blunders and misstatements as to the conditions of the present struggle, 418 — aim of the book, 419.
*Sprague*, William B., his Annals of the American Methodist Pulpit, reviewed, 41.
*St. John*, James A., his Four Conquests of England, noticed, 549.
*Stephen*, Leslie, his translation of Berlepsch's Alps, or Sketches of Life and Nature in the Mountains, noticed, 554.
*Stevens*, Abel, his History of Methodism, noticed, 562.
*Story*, Joseph, his Commentaries on the Constitution of the United States, reviewed, 435.
*Strickland*, W. P., his Life of Jacob Gruber, reviewed, 41 — his edition of the Autobiography of Peter Cartwright, reviewed, *ib.*
*Stuart*, Moses, his Commentary on Ecclesiastes, noticed, 560.
*Sturtevant*, Julian M., his Lessons of our National Conflict, reviewed, 153 — its character, 169.
*Sumner*, Charles, his Resolutions for creating Territorial Governments in the States where the insurrectionary movement exists, reviewed, 435 — strictures on, 459, *et seq.*

*Taillandier*, Saint-René, his *Scot Erigène et la Philosophie Scholastique*, reviewed, 125.
*Taylor*, Samuel H., his Method of Classical Study, noticed, 284.

*Thomas*, W. Moy, his Edition of the Letters and Works of Lady Mary Wortley Montagu, reviewed, 289.
*Titcomb*, Timothy, his Lessons in Life, noticed, 275.
*Tracts* for Priests and People, noticed, 563.
*Trench*, Richard Chenevix, his Commentary on the Epistles to the Seven Churches in Asia, noticed, 277.
*Trent* Affair, the, see *United*.
*True*, Charles K., his Elements of Logic, noticed, 561.
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*Twiss*, Travers, his Law of Nations considered as Independent Political Communities, noticed, 264.

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